The Solicitors' Journal.

LONDON, DECEMBER 13, 1862.

THE CASE OF HALL *v.* SEMPLE is so familiar to the reading public, that it is quite unnecessary to repeat the facts which came out in evidence in order to enable our readers to understand and appreciate the suggestions which we are about to make in reference to certain evils incident to the present method of depriving alleged lunatics of their freedom, nor shall we address ourselves to the task of determining whether the learned judge's statement of the law and pleadings in the case was or was not satisfactory. Mr. Serjeant Pigott has taken exceptions which will give him an opportunity of impugning the verdict, and we are quite sure that any intimation of opinion, either in favour of or against it upon technical grounds, would not be worthy of the consideration of lawyers who can wait for a learned discussion in the Queen's Bench in *banc*, even if they have not already been satisfied by that which occurred between the judge and the learned serjeant whilst the jury were considering their verdict.

We wish to consider simply whether it is or is not expedient that the power of incarcerating innocent people upon the mere certificate of two medical men and of one other individual should continue to exist. Of course, there are often cases in which it is absolutely necessary to shut men up without any preliminary inquiry, and in spite of their earnest and violent objection. Delusions may exist, and every sane person may perceive that they are delusions, and yet the individual who suffers from them may have convinced himself both by argument and reflection that his opinions are based upon facts. Every one knows that each of the well known gentlemen who appears upon every inquiry upon a commission of lunacy to give evidence upon these matters has his peculiar theory, and, though few persons are so ill-natured as to doubt that these physicians are scientific thinkers and able men, it is evident that we are not yet sufficiently well acquainted with the mysterious laws which relate to the influence of the senses upon the mind to be able either to prejudge any case of mere delusions or to judge it at all without careful inquiries. This being so, we think it is time that some tribunal should be established to which every man could appeal for inquiry, either public or private, we care not which, preliminary to his forcible imprisonment, under circumstances which, as the *Times* truly remarks, would soon drive him mad, if he were not mad already. In every case in which a wrong is charged against an individual, he has the right of meeting his accusers publicly, and is guarded by the sacred privilege of having his guilt, or, in other words, so far as this point is concerned, his liability to forcible restraint, investigated in the presence of an unprejudiced magistrate. But if a man has a bad wife, who can induce two medical men to believe what she says, and to look at the alleged lunatic, after having their minds prejudiced against him, it seems clear that he may be dragged off in the dead of night to a mad-house, knowing nothing himself of the ground of this deplorable wrong, and not able to suspect anything, unless he could imagine the plot against his freedom because one medical man had recently called to see his wife, and another had been seen pressing his nose against the window outside the house. There certainly ought to be some means for preventing such gross outrages as these. The mad doctors, at all events, ought to be deprived of the power which they now have. Suppose by way of change the certificate of two magistrates was substituted for the present system. We think that would be a decided improvement.

THE NEW HIGHWAY ACT is still being vigorously discussed throughout the provinces. At an adjourned quarter session recently held in Suffolk to receive the report of a committee appointed in October to consider the merits of the Act, the committee reported that the clerk of the peace had laid before them ninety-three memorials against the adoption of its provisions, from ratepayers of the western division of the county, containing 1,691 signatures, and two petitions in favour of the Act, containing sixteen signatures. The purport of the petitions against the Act was, that the fulfilment of its provisions would materially increase the expense of maintaining the highways in the respective parishes. The committee, nevertheless, came to the conclusion that the adoption of the Act would lead generally to a material reduction of expense, and would effect a great improvement in the roads of the district. They therefore recommended that the Act should be adopted within the western division of the county or liberty of Bury St. Edmunds, deferring the arrangement of districts for future consideration. The adoption of the report was strongly opposed, but on a division it was carried by twelve to six, and a committee was appointed for the purpose of taking into consideration the question of districts, and reporting thereon to the January sessions.

THE LAWYERS' CONTRIBUTIONS to the Lancashire Relief Fund have been much more considerable than we were aware when we referred to the subject last week. The members of the Equity Bar have adopted an organised system of collecting subscriptions. There is a weekly subscription for all or any part of the four months from now till March, or, if preferred, a donation at once. Nearly 100 Chancery barristers, including equity judges, and Queen's counsel, have subscribed their names for £1 weekly; others, the same amount for portions of the period — namely, one, two, or three months; others, a donation varying from £1 1s. to £5 5s. Little short of £2,000 has thus already been promised, quite independently of the common law judges and counsel, who, no doubt, will respond with equal readiness. The benchers of Lincoln's-inn have also voted out of the funds of the Inn £600, at the rate of £50 per week for three months.

THE FOLLOWING IS A LIST OF GENTLEMEN who are now candidates for the city solicitorship:— Mr. Charles Baylis, 30, Poultry; Mr. James Crosby, 3, Church-court, Old Jewry; Mr. W. W. Charnock, 51, King William-street; Mr. B. W. Jones, 15, Old Jewry-chambers; Mr. T. J. Nelson, 2, Hatton-court, Threadneedle-street; Mr. George Osgood, Chief Clerk of the Sheriffs' Court; Mr. George Ogle, 4, Great Winchester-street; Mr. Edward Saxton, 53, Cornhill; Mr. George Markwick Stuchbury, Guildhall. The election is fixed to take place on the 18th inst.

BREWERS, IT APPEARS, are not eligible for magistrates. A short time since a memorial was forwarded from Scarborough to the Lord Chancellor, praying that his Lordship would not appoint Mr. Godfrey Knight a magistrate for the borough, in consequence of his being a brewer. An official communication has recently been forwarded to the memorialists, acknowledging the receipt of the communication, and stating that "if Mr. Knight is a brewer he is not eligible for the appointment of borough magistrate."

SOME OF THE OFFICERS of the Court of Chancery in Ireland have contributed the sum of £40 to the Lancashire Relief Fund now being raised in Dublin. The letter enclosing the amount states that the sum would have been much larger had not many already contributed through other channels.

THE LAW AMENDMENT SOCIETY will hold its next meeting on Monday, the 15th inst., at eight o'clock, when the adjourned discussion on Mr. Hastings' paper, "What shall we do with our Criminals?" will be opened by Mr. A. Pulling, who will read a paper on the same

subject. The Common-Sergeant, Thomas Chambers, Esq, Q.C., will take the chair.

Mr. Johann Fried Christoph Muncke, of Bruce-terrace, Northumberland Park, Tottenham, a Doctor in Philosophy, and Christopher Knight Watson, M.A., of Trinity College, Cambridge, have been appointed special examiners for the intermediate examinations of articled clerks in the ensuing year.

A convention has been signed between her Majesty and the King of the Belgians granting to joint stock companies in both countries (subject to certain conditions) power to bring and defend actions in either country.

A vacancy has occurred among the members of the Copyhold, Inclosure, and Tithe Commission, by the decease of Mr. H. C. Mules, who died on the 4th inst.

Mr. Mackrell, the senior under-sheriff for London and for Middlesex, has been appointed solicitor to the Irish Society, in the room of the late Mr. Charles Pearson.

Mr. Alexander John Baylis, of Church-court Chambers, Old Jewry, has been appointed solicitor to the City Commissioners of Sewers, in the room of the late Mr. Charles Pearson.

OFFICIAL CONVEYANCING IN IRELAND.

The Landed Estates Court has definitively decided upon having in future all the conveyances and other deeds issuing from the court printed according to a uniform plan. The Irish solicitors have remonstrated against this scheme, and also against the insufficiency of the remuneration to which, according to the Rules and Orders of the Court, they are entitled for conveyancing business. The judges of the court have refused to reconsider the question of printing, but have agreed to a slight increase of the fees payable to solicitors for preparing conveyances. It appears, however, from the address recently delivered at the half-yearly meeting of the Incorporated Society of Ireland (the greater part of which will be found elsewhere in our columns), that the Irish solicitors still complain of the small remuneration allowed to them for the important duties which they have to discharge. They say it is very insufficient, and we have no doubt that their complaint is well founded.

The modern system of Government conveyancing, both in England and Ireland, proceeds upon the principle that the real work is done by officials, and that the solicitors and advisers of parties interested in the property are little more than puppets in judicial hands; or perhaps we had better say, spectators of the working of what is conceived to be an admirable and symmetrical piece of machinery. At all events, this is the theory, so far as emoluments go. As a matter of fact, the State proves to be a very expensive "conveyancer." A large and costly staff of officials have to be paid, whether there is work for them to do or not, and whether they do what is entrusted to them well or ill; and although the Government is directly their paymaster, indirectly, but not less certainly, those who make use of their services not only have to pay them, but to pay them a good deal more than under the old system the solicitors' bills of costs would have amounted to. It may be admitted that if the work were really well done, the additional elements of indefeasibility and simplicity might be worth the increased cost. If the officers of the court, with their superior statutory qualifications, could be relied upon to discharge all the duties which solicitors owe to their clients in such matters, a landowner would perhaps not have much occasion for grumbling at the intervention of State officials in his private business, although probably he would prefer the privilege of being allowed to employ his own solicitor, without being compelled to pay to the Government an unnecessary bill of costs. But the misfortune to the public is, that while the Landed Estates Court in Ireland, and the Land Registry Office in England, employ very expensive machinery for the transaction of conveyancing business, and exact heavy fees from those who invoke their aid, they do not, in fact, act the part which they originally professed to undertake. From such experience as we have had of the conveyances of the Irish Court we can confidently say that skill, experience, and carefulness are much more requisite qualities in a solicitor acting in a sale or purchase in that court, than they would be if the transaction was merely between private parties. As a rule, the court functionaries pay little or no regard to the personal interests of parties; their rights may therefore be compromised or affected in every conceivable way if they are left to the guardianship of the Court, or are consigned to the mere perfunctory charge of a solicitor. This state of facts is by degrees becoming familiar to the Irish public, and even on this side of the Channel there has been an inkling of it for some time past. Irish owners and purchasers of land have found out the fallacy of acting upon the notion that "the Court" would "do all that is necessary for the protection of their interests"—"would see that all was right," &c.—and therefore that it was necessary to have only "the name" of a solicitor on the proceedings. Some of the specimens of "court" conveyancing, accomplished in this way, have made their appearance amongst English real property lawyers, very much to their surprise and bewilderment; and not the least of all the marvels about these official deeds has been how such compositions could have received official sanction. Notwithstanding the talisman of statutory indefeasibility it is impossible to predict the effect of some of these ill-drawn instruments when they come to be submitted to the test of solemn judicial decision; but, no doubt, they owe their existence (at least, their unskilfulness) in a great measure to the popular fallacy that the Court will "see that all is right," and that a solicitor is hardly wanted in these proceedings.

The Irish solicitors naturally complain that the fees allowed to them are insufficient if they are expected to do, honestly and effectively, the work which is assigned to them. They do not think it fair or reasonable that the Court should devour their clients' substance under the pretence of giving them professional advice and assistance, which, in truth, they never receive. They deem it hard not only that the Court's share of the bill of costs is enormously out of proportion to the solicitor's, considering what is done by each, but that the Court is not satisfied with the lion's share. It not only charges an exhorbitant price for the commodity which it professes to sell and does not supply, but it fixes an arbitrary and insufficient price for it elsewhere. The official routine of the Landed Estates Court requires, or at all events evokes, but little labour and less skill, except now and then when the judges have to decide upon litigated questions. By far the greater part of the proceedings is mere office work, which ought not to cost much, but which does cost a great deal. Its cost is out of all proportion to that which goes into the pockets of solicitors for work that is of a much more laborious and responsible character, and leaves an insufficient margin for the fair payment of solicitors. This is an unquestionable evil, and ought to be remedied as soon as possible.

Irish solicitors may rest assured, however, that there will soon be a re-action in this bureaucratic region. In such important matters as the sale and purchase of land *bonâ fide* professional advice and agency can neither be dispensed with nor be expected from any public functionaries. It has already been discovered that the Court regards all matters before it from its own point of view, and leaves its suitors (if that term may be applied here) to look out for themselves—in other words, to employ their own lawyers. Clients must have proper legal advice and must pay for it. The pity is,

they are so heavily taxed in the Landed Estates Court, upon the theory that it is provided there for them by a paternal Government, that they can hardly afford to pay those who really do the work for them. It is very hard upon them to be compelled to pay twice over for the same thing, but it is still harder upon solicitors, who are only half paid for a double task—that of satisfying the Court on the one hand, and their clients on the other. The proper business of the Court is to see that it declares the right persons to be entitled to the right land, and to record the declaration, and there its legitimate functions cease. It is the business of persons before the Court, and of their lawyers, to protect their interests, and to see that the Court gives them all that they are entitled to; and one would think that clients might be left to their own sagacity to employ solicitors upon such terms as might be agreed upon, without any interference of the Court. But "the Court" knows that if solicitors are properly paid there will be an outcry against the official fees, and therefore it says solicitors shall be paid only what officials think proper. In this way your rival becomes your taxing master, and the final result (too often) is, that the owner or buyer of land suffers by getting no counsel where he pays well for it, and bad counsel where it is compulsorily cheap. He pays the Court for assistance which he does not get, and he is not allowed to get the assistance which, but for the Court's interference, he might easily obtain. Were it not for the intervention of the Court between solicitor and client the matter would soon right itself. Professional skill and labour would meet their fair reward in the open market, and if the additional Court fees were found too onerous Parliament might be induced to afford relief. But as things are at present professional skill remains unemployed or unrewarded, and such solicitors as conduct business through the Court are paid for their conveyancing, just as cabmen are, by length or time. There is no reward for learning, aptness, or responsibility. All are paid alike for going over the same ground. The Court has its rigid *tariff*, which might have been tolerable during the dark ages of monopolies and sumptuary laws, but is now simply a snare and vexation to honest men and an engine for fraud and indolence. The Court has its categories, according to which it classifies services, and which are obligatory upon solicitors. Though a solicitor finds that 6s. 8d., 13s. 4d., or 21s. will not remunerate him for some step in the procedure, yet he cannot contract with his employer for a fairer remuneration. The Court will not allow it. It will not trust suitors from under its eye. It will not allow a man to contract with his attorney as he might with his doctor or grocer. It sets up the exploded policy of regulating the rate of wages according to inflexible standards. It regards the lawyers as its own competitors, and their bills of costs as tolerable only so far as they are composed of judicial taxes; and so long as such a state of things remains the Dublin solicitors must be prepared for no little discouragement from the court officials. Such a predicament is neither satisfactory for the lawyers nor those who employ them; and the Irish Incorporated Law Society deserves credit, under the circumstances, for the spirited although moderate manner in which it has called public attention to the subject.

SUGGESTED REFORMS IN CHANCERY.

The Chancery Funds Commission has printed for circulation amongst persons who are likely to afford information some important Minutes and other papers. Several propositions of considerable interest to the profession are now under the consideration of the Commissioners. One of these is to establish, in the Court of Chancery, a Deposit Account for suitors' moneys, and to allow a moderate rate of interest upon money so deposited, without, however, depriving the suitors of the right to require the investment thereof at any time at their own risk. It is further proposed that the duplicate cause accounts, kept in the chancery office of the Bank of England, should be discontinued, and that the accounts of the Accountant-General should be examined by an auditor appointed by the Lord Chancellor. For the purpose of carrying out these suggestions, if they are adopted, it will probably be found necessary to establish a branch of the Bank of England in Chancery-lane. £2 per cent. per annum, we believe, is the rate of interest which it is considered ought to be allowed for cash on deposit. The average amount of suitors' *cash* in court is about £2,500,000, and it is estimated that about £1,500,000 would probably be placed on deposit account. Assuming this calculation to be correct, the gross additional charge on the revenues of the court for interest on deposits would be £30,000 a-year. The advocates of the change, however, are, we think rightly, of opinion that investments by suitors at their own risk would be to a great extent discontinued, and so a considerable amount would be placed on the deposit account in lieu of being invested on the suitors' behalf. There is little room for doubt that the sum gained by the court in this way would much more than compensate for the annual interest payable upon the whole of the cash deposited in the court. The Court of Chancery has hitherto been a large gainer by the produce of the investment of suitors' cash which is not required by them to be invested. But such gain has been wholly at the expense of suitors, many of whom at present have hardly any option but to allow their money to lie, so far as themselves are concerned, idle and unproductive. In very many cases the Court is a mere stakeholder pending the decision of the rights of parties, and in such cases it is generally considered that the expense and risk of investment are more than the chance of two or three dividends is worth. Except where money is paid into court under the Trustee Relief Act or the Infants' Legacy Act it will not be invested until an order has been obtained for the purpose by the parties interested. When the order *is* obtained the mode of effecting the investment through the Accountant-General's Office is tedious and cumbrous; and the machinery used for the purpose of selling out is still more irksome and complicated. In every case there must be an order made by a chancery judge, which must also be drawn up, passed, and entered by a registrar of the court. Then comes a certificate, or direction for sale, based upon the order, and both of these documents are presented by the solicitor at the office of the Accountant-General, when the services of that functionary, and also of the Government broker, are put into requisition. It is no wonder that such an ordeal is sufficient to deter most persons who can afford to do without a dividend or two, and it would be a great boon to them, if, instead of it they had the benefit, without any cost or trouble on their part, of £2 per cent. per annum, so long as the money remained uninvested. But whatever may be done with reference to the proposals which we have mentioned, it is to be hoped, at all events, that one very obvious improvement will be made in the present system. Some of our readers may perhaps not be aware that the Government broker both buys and sells, as a separate transaction, every sum of stock directed to be purchased or sold, and that all these opposite transactions are continually taking place at the same time—a commission of course being charged both on buying and selling. It is now suggested that the balance only should be bought or sold on each day, and that "the one-eighth per cent. on the funds transferred, thereby saved to the suitor, and which, but for this alteration, would have been actually bought and sold, should be paid to the suitors' fee fund for the benefit of the suitors." This change was, in fact, recommended by the House of Commons Committee on Fees in their report of 1859, which, however, has never since been acted upon.

It will be remembered that the questions involved in

the propositions now under the consideration of the commissioners, and indeed the very propositions themselves, were discussed at considerable length in these columns before the appointment of the commission, so that it is unnecessary for us now to do more than refer to what was then written upon the subject. But whoever desires to make himself master of it ought to read the extremely elaborate and able paper of Messrs. Anderson and Field, two of the commissioners, which has been printed in the shape of a report of a sub-committee, and also the separate paper of Mr. Crawford, another of the commissioners, in which he states his reasons for not concurring in the resolutions proposed by the sub-committee.

JUDICIAL STATISTICS, 1861, ENGLAND AND WALES.

No. II.—Crime and Criminals.

The details contained in our former article related to the general classification of the two classes of parties that are concerned in every prosecution—the police and the criminals. The next set of tables, contained in the Parliamentary blue book (Nos. 3, 4, and 5) relate to the number of offences committed in each police district, the number of persons apprehended in each district, and the result of the charges against them, in periods of three months; the nature of the crimes committed in each district, and the number of apprehensions, and their result.

There has been an increase of 404, or 0·8 per cent., in the crimes committed last year as compared with the returns for 1860, in which year there was a decrease of crimes of 3·1 per cent as compared with the returns for 1859. The number of apprehensions in 1861 exceeded the number in 1860 by 2,312, or 9·3 per cent. They bore a higher proportion to the crimes than they did in either of the two preceding years. The number of arrests, we need hardly observe, apart from the results of the adjudications, does not necessarily indicate any greater efficiency on the part of the police in 1861 than previously, but merely a greater *apparent* vigilance. There continues, as hitherto, a greater prevalence of crime in the winter than in the summer quarter, owing probably to the greater facilities offered in the former season for the commission of crime, and the comparative dearth of employment that then exists. The proportionate number of apprehensions is greater in the summer quarter. Table 4 shows for each police district the description and number of crimes committed within the year. The number of murders in 1861 amounted to 106, being seven more than occurred in 1860. Of these ten were in the metropolitan district; none occurred in the city of London. There were charged with the crime of murder 128 persons, who were also apprehended. Of these, 90 were committed for trial. The number of burglaries in 1861 was 2,791; in 1860 it was 2,221. The proportion of the number of indictable offences to the population in the different districts exhibits some curious features.

	Number of Indictable Offences.	Proportion to Population.
Metropolis . . .	12,232	1 to 263
Birmingham . .	836	1 to 354
Leeds	626	1 to 330
Liverpool . . .	3,954	1 to 112
Manchester . . .	5,808	1 to 58

It appears that the more serious class of offences is most rife in Manchester.

Upon being brought before the magistrates 32·4 per cent. of the persons apprehended were discharged without further proceedings; 0·6 per cent. were bailed for further appearance if required, 5·1 per cent. were liberated on bail; 61·7 were committed for trial; and 0·2 were committed for want of sureties. Of the cases, 67·6 were thus proved to the satisfaction of the magistrates. In the class of offences against the person the number of apprehensions greatly exceeds the number of crimes committed. This excess is accounted for in the statistics by the fact that more persons than one are generally concerned in the same offence of this class, and the comparative facility of identification furnished by the nature of the case. The spleen and personal animosity incident to such cases, as also the desire to exclude evidence, are, we think, the main causes of the excess mentioned. The total number of offences against the person in 1861 was 2,473, which exceeded the corresponding return for 1860 by 273. Deducting the number of persons discharged by the magistrates from the total number of persons apprehended, we find that about 2,007, or 81·1 per cent., were successfully pursued by the police. The total number of offences against property with violence was 5,157, which return exceeds by 1,098, or upwards of 26·8 per cent., the corresponding return for 1860. 38·3 per cent. appears to be the proportion of this class of cases successfully pursued by the police. The total number of all other descriptions of offences besides those mentioned (including 209 cases of attempts to commit suicide) amounted to 42,686, being 951 less than the return for the preceding year. The proportion which the total number of cases successfully pursued bore to the total number of crimes was 36·1 per cent. in 1861, and 32·5 per cent. in 1859.

We now come to the offences summarily determined by the justices. In this class of offences there has been an increase of 2,092, or 1·6 per cent., over the corresponding returns for 1860, in which year there was a decrease of this class of 2·0 per cent. as compared with 1859. The following table indicates the number of summary charges, and their results:—

	Males.	Females.	Total.
Proceeded against	315,256	79,461	394,717
Convicted	219,875	43,635	263,510
Discharged	95,381	35,826	131,207

The proportion of the convictions to the charges was 66·7 per cent. in 1861, and 66·4 in 1860. A smaller proportion (strange to say), of convictions among the females is found in the several "statistics." The difference of 14·8 per cent. indicated by the present returns was precisely the same as occurred in 1859; in 1860 it was 14·3 per cent. The total number of cases of stealing and attempts to steal was 43,192; of malicious offences of damage, and trespass, 3,940; of assaults, 76,681; and of offences against the game laws 8,483. Justices appear to be not unfriendly to the policy of the game laws. The numbers proceeded against summarily in each year from 1857 (beyond which the returns do not extend), down to 1861, are almost the same. This uniformity, we may observe, shows the striking relation which statistics bear to the social, economic, and juristical, sciences. Crime has its averages, which, like the laws of storms, may, notwithstanding the eccentricity of each case, be nevertheless very safely predicted to a certain extent. Had any change been made in the law applicable to this class of offences in any of the years specified, or any very great change taken place in the efficiency of the police, or in the general welfare of the lowest order of society, its effects would be vividly exhibited by a discrepancy in the returns immediately succeeding such a change, as distinguished from the like statistics for preceding years.

In the number of "known thieves," &c., proceeded against, there has been an increase of 1,403, or 70· per cent., over the returns for 1859. The total number of indictable offences and of persons proceeded against summarily was thus returned for the following places:—

Metropolis.	Birmingham.	Leeds.	Manchester.	Liverpool.
97,318	7,741	6,513	14,426	45,107.
1 to 33	1 to 38	1 to 31	1 to 23	1 to 9.

In table 10 are enumerated 57 heads of offences upon conviction for any one of which by justices an appeal may be entered for the decision of the Court of Quarter Sessions. There were 49 such appeals brought in 1861; in 31 the convictions were affirmed; in 18 they were quashed. The number of summary convictions being

263,510, as already shown, it follows that the original decision was reversed in one case only in every 14,639 decided out of sessions. Sixty cases were stated under the statute 20 & 21 Vict. c. 43, for the decision of the Superior Courts at Westminster. Of these 45 were submitted to the Court of Queen's Bench; the results of these are not given. Nine were submitted to the Court of Common Pleas, six of which were affirmed and three reversed; six were stated for the Court of Exchequer, of which two were affirmed and four reversed.

The coroners' returns complete the first division of the statistics. The number of inquests held in the year was 21,038; of these 210 were for murder; 200 for manslaughter; and 1,324 for suicide. There is a decrease of 0·7 per cent. in the number of inquests as compared with the number for 1860. In the verdicts of murder there is likewise a decrease of 21·6 per cent. as compared with 1860; but as compared with the average for the preceding years there was an increase of two cases in 1861. In the statistics for 1859 Mr. Redgrave informed us that the returns made by coroners did not fairly represent the state of their districts; that the performance of their duties was much obstructed by justices, and that the costs of inquests were often improperly disallowed. The effective carrying out of the Act of 1860, it is to be hoped, will remedy in a great measure, if not wholly, the impediments that have obstructed the discharge of the important functions of coroners.

The foregoing outline contains the more important records found in the first division of the first part of the judicial statistics. That so small a proportion of crime as we have above stated is alone effectually prosecuted by the police is a matter deserving of very serious consideration. One of the worst of all the injurious results that flow from the commission of crime with impunity would be perhaps the diffusion amongst the lowest order of society of a consciousness of their power to evade justice. In times when work is not unusually scarce the evils of an inadequate police will not be much felt. It is in the season of pressure that crime will be most effectually committed by the established class of depredators under the pretence of want of employment. It is to be hoped that the metropolis and the smaller boroughs will soon have no reason to complain of insecurity of property. The increase of police stations and courts, especially in the metropolis, is also a desideratum that ought to be immediately supplied. It is fortunate that our legal annals, or, as they are somewhat inaptly termed, our judicial statistics, are so elaborately prepared as to indicate even to a cursory reader the chief defects in almost every department of our legal system.

PRACTICAL LAW AFFECTING BILLS OF SALE.

By FREDERICK STROUD, Author of "The County Court Practice in Bankruptcy."

No. II.

Sect. 3 of the statute of Elizabeth renders a person convicted of a fraudulent conveyance liable to imprisonment for six months. It has accordingly been said that this "enables a person against whom such a case is made in a civil proceeding to object to answer questions in regard to the transaction, on the ground that he may thereby criminate himself and expose himself to prosecution." (Mill. & Coll. on Bills of Sale, 2nd ed. 126, citing in support the ruling of Willes, J., at Nisi Prius, in *Michael* v. *Gay*, 1 Fost. & Fin. 410). And it should seem that this is perfectly sound as regards *ordinary* civil proceedings. But in *bankruptcy*, where the bankrupt is the grantor, this seems to be otherwise; for by sect. 117 of the Bankrupt Law Consolidation Act, 1849 (12 & 13 Vict. c. 106), it is enacted that a bankrupt shall answer all questions "touching all matters relating to his trade, dealings, or estate, or which may tend to disclose any secret, grant, conveyance, or concealment of his lands, tenements, goods, money, or debts;" and in *Reg.* v. *Scott* (25 L. J. N. S. 128) it was held by the majority (Campbell, C.J., Alderson, B., Willes, J., and Bramwell, B.) of the Court for Crown Cases Reserved (*dissentiente*, Coleridge, J.) that these answers must be given by the bankrupt, although they may tend to criminate himself.

Let it be observed at the outset of the inquiry respecting the influence of bankruptcy on a bill of sale that the old insolvency statutes are now abolished (Bankruptcy Act, 1861, 24 & 25 Vict. c. 134, ss. 19, 20, and sch. G.). Insolvent debtors' estates are now exclusively dealt with by Courts having jurisdiction in bankruptcy. We can, therefore, confine our attention to the effect of the grantor's bankruptcy on bills of sale, and forget that there ever was any other mode in which they might be challenged at the suit of persons representing the estates of insolvent debtors.

The three modes in which the grantor's bankruptcy may affect a bill of sale are these,—

1. *The bill of sale may, in itself, be an act of bankruptcy:* see *infra*.

2. *It may be a fraudulent preference.*

3. *The goods comprised in it may be left in the possession, order, or disposition of the bankrupt.*

"All debtors, whether traders or not," are liable to be made bankrupts (Bankruptcy Act, 1861, s. 69); and a fraudulent bill of sale may be void as an act of bankruptcy, whether made by a trader or non-trader (Bankrupt Law Consolidation Act, 1849, s. 67, Bankruptcy Act, 1861, s. 70). But the words applicable to traders, though substantianlly the same as, yet are different from, those applicable to non-traders.

A *trader* commits an act of bankruptcy by making "*either within this realm or elsewhere*, any fraudulent grant or conveyance of any of his lands, tenements, goods, or chattels,"—or "any fraudulent gift, delivery, or transfer of any of his goods or chattels," "with intent to defeat or delay his creditors" (sect. 67, Bankrupt Law Consolidation Act, 1849).

A *non-trader* commits an act of bankruptcy by making, with such intent, "any fraudulent conveyance, gift, delivery, or transfer of his real or personal estate, or any part thereof respectively" (sect. 70, Bankruptcy Act, 1861).

The only real distinction between these two sets of words is, that in the case of a trader the act of bankruptcy is made operative, whether done "within this realm or otherwise;" whilst nothing like that appears as regards the act of bankruptcy to be done by a non-trader. The effect appears to be that a fraudulent conveyance, &c., executed by a non-trader *abroad*, could not be relied on as an act of bankruptcy (*Ingliss* v. *Grant*, 5 Term Rep. 530; *Norden* v. *James*, Dick. 533). In citing these cases it has been remarked, "The words 'either within this realm or elsewhere,' were introduced into the statute 6 Geo. 4, c. 16, because it had been decided that the clause in statute 1 Jac. 1, c. 15, s. 2, did not extend to conveyances executed out of England" ("Archbold's Bankruptcy," by Flather, 11 ed. 54, 55). See also hereon "Petersdorff's Principles and Practice of Bankruptcy," 45.

Construing the bankruptcy statutes for the purpose of the cases to which they apply, it will be noticed that a fraudulent bill of sale, whether executed by a trader or non-trader, is not saved from being an act of bankruptcy by reason of its being executed upon good consideration, and for the purpose of *bonâ fide* lawfully conveying the goods. Herein both the bankruptcy statutes differ from the statute of Elizabeth. The statute of Elizabeth seems to relate to debtors and creditors in their individual relationship; the bankuptcy statutes have a more general bearing. The statute of Elizabeth says that creditors shall not be deprived of their debtor's goods by fraudulent and fictitious sales, but it then causes the property so protected to be acquired by creditors according as they shall be more or less vigilant and successful. The bankruptcy statutes carry the law farther, and seeking an equal distribution of

a bankrupt's goods, they treat as void any transaction which materially tends to prevent this equal distribution. The statute of Elizabeth is remedial only; the bankruptcy statutes are remedial and also adjustive. Hence, bills of sale void within the statute of Elizabeth are also acts of bankruptcy; but the converse does not hold good. The rule for construing the bankruptcy statutes is more comprehensive than that for construing the statute of Elizabeth. Like the statute of Elizabeth the bankruptcy statutes require a transaction dealing adversely to creditor's rights to be supported by a good consideration, and also require that it be *bonâ fide*. But they are not satisfied with this. There must be more. The transaction must be such as will not deprive creditors of their ordinary rights.

It will be well briefly to notice the test for determining when a bill of sale is an act of bankruptcy. I do not here allude to cases where there is actual fraud: reference is rather made to cases where the facts warrant an inference of legal fraud. As regards those latter cases, it has on many occasions been laid down that the test is, — whether the effect of the bill of sale is to prevent the grantor from carrying on his trade. (See *Ex parte Bailey, In Re Barrell*, 22 L. J. N. S. Bkcy. 45.) But this is manifestly unsound as a conclusive test; for a person may be prevented from carrying on his trade, and yet have enough to pay his creditors. And since bills of sale, though executed by *non*-traders, may be acts of bankruptcy, the test just referred to is manifestly too narrow.

"*The true question is, not whether the deed stops the traders' business and makes him cease his trading, but whether it makes him insolvent and unable to pay his creditors in the ordinary way.*" (Per Parke, B., in *Smith* v. *Cannan*, 22 L. J. N. S. Q. B. 290. See also the judgments therein of Jervis, C.J., and Platt, B. See also judgments of Pollock, C.B., and Parke, B., in *Young* v. *Waud*, *ib.* Ex. 27. See also *Hale* v. *Allnutt*, 25 L. J. N. S. C. P. 267, and judgment in *Oriental Bank Corporation* v. *Coleman*, 30 L. J. N. S. Ch. 637.)

(To be continued.)

EQUITY.

WILL—TENANT IN TAIL—GIFT OF PERSONALTY—TRUST BY REFERENCE TO LIMITATIONS OF REAL ESTATE—REMOTENESS.—Devise in strict settlement of real estate to trustees, to the use of A. for life, remainder to his first and other sons in tail male, remainder to the younger brothers of A. successively for life, remainder to their first and other sons in tail male, remainder to B. for life, and remainder to his first and other sons in tail male, remainder over. Bequest of residue of testator's personal estate to trustees upon trust to invest and hold the same upon the same trusts as were declared of the real estate, or as near thereto as the rules of law and equity would permit, with the following proviso:—"That the personal estate shall not vest absolutely in any tenant in tail unless such person shall attain the age of twenty-one years."

Held, that the trusts of the personal estate were valid, and that by virtue thereof the first tenant in tail (who was an infant) took a vested interest in the personalty, subject to be divested in the event of his dying under twenty-one.—*Gosling* v. *Gosling*, L. C., 11 W. R. 97.

STATUTE OF LIMITATIONS.—A devise "subject to" legacies does not create a trust for payment so as to take the case out of the statute 3 & 4 Will. 4, c. 27, s. 40. And the existence of prior charges upon the property upon which the legacy is charged will not prevent "a present right to receive" from accruing within the meaning of the Act.—*Proud* v. *Proud*, M. R., 11 W. R. 101.

VENDOR AND PURCHASER.—When a contract for the purchase of land cannot be carried out, and the purchaser has paid a deposit on account of the purchase-money, the latter is not forfeited to the vendor, but may be recovered back by the purchaser.

In order to create a forfeiture of the deposit to the vendor, there must be an agreement to that effect expressed in or necessarily implied from the contract.—*Casson* v. *Roberts*, M. R., 11 W. R. 102.

VENDOR AND PURCHASER—ASSIGNMENT FOR VALUE WITHOUT NOTICE.—On the occasion of the sale of a freehold estate, it was agreed that the purchase-money should be paid in railway bonds, and the purchaser deposited with and assigned to A., who alleged himself to be the solicitor of the vendor, one of such bonds in part payment of the purchase-money. The contract turned out to be a fraud on the purchaser, and went off, and on the purchaser applying to A. for the return of the deposited bond, he was informed that A. had placed it in the hands of B. to secure a debt due from himself to B. B. had no notice of the terms upon which A. held the bond.

Held, in a suit by the purchaser against B. to restrain him from dealing with the bond, that the deposit and assignment of the bond by the purchaser to A. for the purpose above mentioned did not make A., in the events which happened, a constructive trustee for the plaintiff, and that as B. was a *bonâ fide* purchaser of the bond for value without notice, he could not be restrained from dealing with it.

Where the allegation upon which the principal equity of the bill was founded was disproved by the evidence brought forward upon an interlocutory motion for an injunction, the Court in refusing the motion ordered the plaintiff to pay the costs thereof instead of making them costs in the cause.—*Ashwin* v. *Burton*, M. R. 11 W. R. 103.

WILL—CARRYING ON TESTATOR'S BUSINESS—POWER TO EXECUTORS.—A testator, by a codicil to his will, authorised his executors in case A. and B., who had both been assisting him in his business of a tobacco manufacturer, should elect to carry on such business, to permit them to do so without any payment for goodwill, upon giving such executors their joint and several bond for the value of the stock in trade, and of such other part of his personal estate as they might require for the carrying on of such business on their own account. A. and B. gave notice to the executors that they elected to carry on the business. The testator's estate, other than the business property, was insufficient for the payment of his debts, and the executors claimed to be entitled to offer the goodwill of the business and the stock in trade to A. and B. as purchasers upon certain terms. A. and B. declined the offer, but claimed to be considered as owners of the business, as from the time of their election to take it, subject to their making a proper provision for the payment of the testator's debts.

Held, that upon the construction of the codicil, there was a specific bequest to A. and B. of the business if they elected to accept it, and that subject to the settlement of the price to be paid for the stock in trade, and to a proper provision being made for the payment of the testator's debts, they were entitled to be considered as the owners of such business, as from the time of their election.—*Fryer* v. *Ward*, M. R., 11 W. R. 104.

COURT OF CHANCERY.

(Before the LORD CHANCELLOR.)

Dec. 5.—In re Still and Still.—Mr. *Bacon* said he had to make some observations in this case, which was heard before his Lordship on the previous Wednesday, and the report of which had caused Mr. Commissioner Goulburn considerable pain. In that report it was stated that a manager had been appointed by the Commissioner. Now, although, in answer to a question by his Lordship, he had stated that the Commissioner had appointed the manager, that statement was erroneous, and

had been afterwards corrected by an explanation that the creditors themselves had appointed the manager. Mr. Commissioner Goulburn had felt hurt by some observations of his Lordship relating to this appointment, over which by the statute he had no control, and had requested him to mention the matter to this Court.

The LORD CHANCELLOR said he recollected the correction being made, and his observations respecting the appointment of a manager were directed to the creditors, which appointment he thought was an abuse of the right vested in them by the Act of Parliament. His remarks were never intended to apply to Mr. Commissioner Goulburn, who was highly to be commended for his assiduity, care, and anxiety in performing his duty, and this too when he had had more than his due share of labour, in consequence of the absence of some of the other Commissioners.

REAL PROPERTY AND CONVEYANCING.

GAVELKIND—PARTIBILITY AMONGST COLLATERALS.

Hooke v. *Hooke*, V. C. W., 11 W. R. 105.

Considering that what is now called the tenure of gavelkind was once common throughout England and Wales, and has never ceased to be customary in Kent, it is difficult to believe that the question raised in this case remained without judicial decision until the latter half of the nineteenth century. Such, however, appears to be the fact. The question was simply this, whether the right of representation amongst collaterals extends beyond the children of brothers? There appears to be no doubt that in the right line of descent there is the *jus representationis*, and also partibility, without limit. Thus if a man seised of gavelkind land dies intestate leaving one son, three children of another predeceased son, five grandchildren, the representatives of another predeceased son, and several great grandchildren, the representatives of a fourth (predeceased) son, all the three stocks of children would divide *per stirpes* equally with the intestate's surviving son, and where there were no male heirs constituting the stock, or who could take *jure representationis*, then females would take by the same right of representation. In short, the ordinary canon of descent as to the *jus representationis* applies to gavelkind lands descending in the right line. This appears to be now sufficiently clear both upon the authorities and the custom of Kent, as evidenced by usage. But the descent amongst collaterals becomes uncertain after one or two steps from the intestate. The first steps amongst collaterals is clear enough. Lord Coke laid it down, and it has always been unquestioned, that among brothers of the intestate there is partibility, and it is nearly as well established that there is a right of representation among the children of brothers; so that if there were two brothers of the intestate, one of whom died before him, leaving sons, these sons would divide the land with their uncle, the surviving brother of the intestate, they taking *per stirpes* one moiety and he taking the other moiety. Up to this point the authorities appear to be sufficiently clear and satisfactory, but there is hardly a vestige of express authority (except the present case) for carrying the rule of partibility or representation a step beyond.

In *Hooke* v. *Hooke* the intestate left only one brother who had two sons, one of whom predeceased the intestate, leaving two sons; and the contest was between the surviving nephew, who claimed the whole, and the two surviving grandnephews, who claimed *jure representationis*, to stand in the place of their deceased father, and so to take a moiety of the descended land, dividing it in moieties with their uncle. It was argued for the uncle—1. That there was no authority for extending the *jus representationis* amongst collaterals in gavelkind beyond the children of brothers—the language of Robinson, Watkins, Chitty, and other writers, who appear to lend their sanction to the contrary of this proposition, not being supported by the reported cases, which are cited by them as authorities. 2. The Court will not extend the custom of partibility or the *jus representationis* beyond the limits of authority, inasmuch as every customary descent different from that by the common law is construed strictly. 3. The canon relating to *jus representationis*, on which in the absence of express authority the great-nephews must rely, is comparatively modern, and was established long after gavelkind ceased to be the general custom of the kingdom; and the right of representation in knights'-fees and socage lands, even in the right line, was not settled *temp.* Henry I. 4. The Statute of Distributions 22 Car. 2, does not extend the class of collaterals who take personalty to great-nephews, and it may be presumed that the statute is the expression of the old common law of descents, which made no distinction between realty and personalty, or between males and females. The feudal laws introduced by the Conquest first restricted the descent to males, and finally extended the rule of primogeniture to all socage lands. The descent of personalty remained unaffected, and the Court might therefore infer, from the provisions of the statute, the rule of the old common law as to descent among collaterals.

On the other hand it was contended by the great nephews—1, that the propositions in the above-mentioned text-books were borne out by the authorities cited, and were evidence of undisputed custom; 2, that the nephew, who was a younger brother, himself claimed *jure representationis*, and could not therefore deny the same right to the great-nephews; 3, that if partibility did not extend beyond brothers, it was a question whether the elder of the two great-nephews, who was the heir of the intestate at common law, ought not to take all?

The Vice-Chancellor Wood held that the great-nephews were entitled to take a moiety. His Honour's judgment proceeded mainly upon the principle that, it being admitted that the custom of partibility extends to brothers, the Court will apply the common law incidents and rules of descent to the custom so ascertained; so that if a man dies, having had two brothers, one of whom survives him, and the other of whom dies before him, but leaving issue, the representatives of the predeceased brother take one moiety amongst them *ad infinitum*. On the point of the analogy of the Statute of Distributions, his Honour remarked—

"It has been ingeniously argued that from the way gavelkind originated from a common course of descent, which would make the inheritance partible to all, males as well as females, I might hold that the Statute of Distributions was grounded upon this supposed common law right; and as that statute stops at the relationship in question, gavelkind must be presumed to have stopped at that particular point. But it is an answer to that to say that, if I were so to hold, I should be obliged to hold that when the brother's line was deceased, and there were seven or eight nephews descended from two or three *stirpes*, all the nephews would take *per capita*, which is not at all consistent with *Clements* v. *Scudamore*, that when once you have ascertained the heirs, they take according to the ordinary incidents of heirship. They would not take, according to any of the authorities, *per capita*. That analogy would be a very strained analogy, regard being had to the alteration of the law, and the existing position of the law as to real and personal estate; and even if I were to adopt that analogy, it would not be analogous to what we find established as the custom of gavelkind."

Although the principle on which the learned Vice-Chancellor decided this case would appear to be generally applicable *beyond* the line of brothers and their descendants, it cannot, perhaps, be safely accepted as an authority for such a proposition; and the case of *Gooding* v. *Gooding*, a full account of which is to be found only in Chitty on Descents, shows how much those great real property lawyers of the last generation, Butler, Preston, and Peckham, were puzzled in deciding upon the rights of claimants in a position precisely analogous to, except that they were in a collateral line of relationship one degree more remote than, the parties in *Hooke* v. *Hooke*.

The difficulty of the great lawyers in that case was to decide between a first cousin of the intestate and a nephew of the first cousin, the son of a deceased elder brother, and appears to have given rise to the doubt in *Hooke* v. *Hooke*. Vice-Chancellors Wood's decision gives the right of representation *ad infinitum* amongst descendants of brothers in gavelkind, but it can hardly be accepted as an authority for extending the right of representation further in a transversal line.

COMMON LAW.

ARBITRATION—ENLARGEMENT OF TIME.—A judge has power to enlarge the time for making an award, not only after the time has expired, but even where the award has been made after expiration of the term.—*Ward* v. *The Secretary-at-War*, Q. B., 11 W. R. 88.

LETTER OF ARBITRATOR AFTER AWARD.—Where a submission to arbitration contains a clause which gives power to the arbitrator to state a special case, and he is not desired by either party before his award is made to exercise that power, the Court will not, on a letter of his written after the award, disclosing the legal principle on which he made his award, set it aside or send it back to him for revision, even although the letter was written with the view of raising the question whether the legal principle on which it was based was sound.—*The London Dock Company* v. *The Parish of St. Paul's, Shadwell*, Q. B., 11 W. R. 89.

POOR-RATE—REPLEVIN—NOTICE OF ACTION.—In an action against a constable for distraining under an order of quarter sessions for the costs of an appeal against a poor-rate the declaration complained that the defendant took and detained the plaintiff's goods against gages and pledges.

Held, that this was an action of replevin, and there was no necessity for notice of action, or a demand of warrant. Such an order, directing the costs to be paid to the clerk of the peace,

Held (*dubitante*, Wightman, J.) valid. — *Gay* v. *Mathews*, Q. B., 11 W. R. 89.

Practice.

ARREST ON MESNE PROCESS.—A foreigner resident abroad having been arrested during a visit to this country, on an affidavit of debt for money lent and advanced abroad, and having been discharged on the ground of a composition made abroad, and denied by the plaintiffs, and having been again arrested by the same plaintiffs, on an affidavit of debt on an alleged promise in the agreement of composition, to pay the residue of the debt when he should be of ability, and the affidavits leaving the existence of the cause of action doubtful,

Held, that there was no sufficient ground for again discharging the defendant from custody, although there might be an equitable ground for reducing the amount of bail.—*Barker and Others* v. *Lindholt*, Q.B., 11 W. R. 68.

ARREST OF MARRIED WOMAN — BANKRUPTCY ACT, 1861.—*Quære*, whether under the Bankruptcy Act, 1861, a married woman can obtain her discharge from custody, and whether the Court would, in consequence of such inability, vary the rule of practice laid down in *Beynon* v. *Jones*, 15 M. & W. 566, and *Larkin* v. *Marshall*, 4 Exch. 804, by ordering the discharge of a married woman, who had been arrested on a judgment obtained against her before marriage.

Under the circumstances of the case the Court saw no grounds for its interference, the applicant being entitled to the receipt of income settled to her separate use without power of anticipation, and there being no statement on the affidavits as to the amount of the judgment debt.—*Jay* v. *Amphlett*, Ex., 11 W. R. 75.

ERROR—BAIL.—Bail in error by defendants not dispensed with, on the ground that the defendants were overseers, who ought not to be personally liable for costs.—*Reg.* v. *Overseers of Coleshill*, Q. B., 11 W. R. 67.

WINTER ASSIZES.

MIDLAND CIRCUIT.

LINCOLN.

Dec. 8.—Mr. Baron BRAMWELL opened the commission in this town to day. The calendar contained a list of twenty-two prisoners.

NORTHERN CIRCUIT.

LIVERPOOL.

Dec. 3.—Mr. Justice Blackburn opened the commission in this town to day. The calendar was heavy.

DURHAM.

Dec. 4.—Mr. Justice KEATING opened the commission in this city to day. The calendar contained the names of eighteen prisoners. Several of the charges were of a serious character.

OXFORD CIRCUIT.

SHREWSBURY.

Dec. 6.—Mr. Justice MELLOR opened the commission in this city to-day. The calendar was comparatively light.

WESTERN CIRCUIT.

WINCHESTER.

Dec. 6.—Mr. Justice BYLES opened the commission in this city to day. The calendar contained about the ordinary number of prisoners, but there were several cases of great atrocity.

SHERIFFS' COURT.

(Before Mr. KERR.)

In an action upon a dishonoured bill of exchange last week, his Honour remarked upon the charge for noting. The plaintiff's witness said, It is customary to note dishonoured debts.

His HONOUR.—But there is no end to be gained by it. It is only throwing away money upon notaries. It is not like a foreign bill, where noting may be necessary; this is an inland bill, and I cannot allow the noting. It is not recoverable at law, and this is not the first occasion upon which I have had to point it out. I must strike it off.

His HONOUR then gave a verdict for the amount of the bill, less the noting.

BANKRUPTCY.

FI. FA.—SALE BY AUCTION—COSTS.—The Bankruptcy Act, 1861 (24 & 25 Vict. c. 134, s. 74), provides that wherever the goods and chattels of a debtor are sold under an execution upon any judgment recovered in any action or suit brought for the recovery of a debt, money demand, or damages against any debtor, exceeding £50, such goods and chattels shall in all cases, unless the Court shall otherwise direct, be sold by the sheriff by public auction, and not by bill of sale or private contract, and such sale shall be publicly advertised by the sheriff on and during three days next preceding the day of sale.

Held, that the sheriff is not entitled to deduct the expense of advertising from the proceeds of the sale under the *fi. fa.*—*Braithwaite* v. *Marriott*, Ex., 11 W. R. 93.

MISDEMEANOUR—INDICTMENT.—Where acts amounting to a misdemeanour under the Bankruptcy Act, 1861, are charged against the bankrupt, and supported by probable evidence, the commissioner is not bound, under the 159th section, to try the bankrupt himself, but has power to direct the bankrupt to be tried before a criminal court.—*Re Wilson, Ex parte Dobson.*—L. J., 11 W. R. 100.

COURT OF BANKRUPTCY.

(Before Mr. Commissioner GOULBURN.)

Dec. 4.—*Re Still and Still.*—The COMMISSIONER said that observing Mr. Reed, solicitor, present, he would avail

himself of the opportunity to correct a misapprehension which, according to the papers of to-day, existed in the Court of Appeal. Mr. Bacon, Q.C., in reply to a question from the Lord Chancellor, had informed his lordship that the appointment of manager of the estate was made by the Commissioner of this court. This was not so. The appointment in question was made by the creditors, in accordance with the Act of 1861.

Mr. *Reed* said that after the statement was made in the Court of Appeal the error had been discovered and corrected by the learned counsel. Unfortunately, this did not appear in the report.

The COMMISSIONER.—Some observations of the Lord Chancellor are given as if the case was as represented by the learned counsel. It ought to be known that the appointment of manager now rests with the creditors.

Mr. *Reed*.—The case is as your Honour states it. The manager of an estate is appointed by the creditors, and I doubt if this Court has jurisdiction even to remove a manager so appointed.

The matter then dropped.

Dec. 10.—*In Re Richard Clarke*.—An adjudication was this day obtained against Mr. Richard Clarke, the accountant in bankruptcy. The office of accountant in bankruptcy is worth £1,500 per year; and heavy liabilities on bills given on behalf of a gentleman well known in medical circles are reported to have contributed in some extent to the bankrupt's present position.

Correspondence.

EFFECT OF TRUST DEED ON STATUS OF DEBTOR.—If the promise mentioned in "J. H.'s" letter (*ante* p. 66) was made by the debtor in consequence of one previously made, to induce the creditor to execute the deed, clearly the latter cannot recover upon it, as it was a fraud upon the other creditors who executed the deed (see *Smith* v. *Cuffe*, 6 M. & S. 160, and *Atkinson* v. *Denby*, 10 W. R. 389). If the letter was written after the creditor executed the deed, I apprehend he could not recover upon it, as he would have to prove a consideration, which in this case he could not do. The letter was a "*nudum pactum*" agreement. Had the debtor voluntarily paid him money, in excess of the dividend to which he was entitled under the trust deed, it is clear he could not have recovered it from him.

It does not plainly appear by your correspondent's letter that the creditor has executed the deed. Assuming he has not done so, and that it is executed by the required number of creditors, it may be successfully pleaded to any action which he may bring. H. A. A.

THE NEW BANKRUPTCY ACT.—On the 1st of November, 1861, the Lord Chancellor issued an order to the effect that Mr. Aldridge should act as solicitor in all bankruptcies of prisoners in any prison within the metropolitan district who should be declared bankrupt upon adjudication made by a registrar, provided that no creditors' assignee should be appointed—the rate and mode of remuneration of such solicitor to be the subject of a further order. A question having arisen sometime since upon the above order in a case of *Re Benton*, as to whether Mr. Aldridge had the privilege of appearing in cases not being prison cases in which no creditors' assignee was appointed, Mr. Aldridge summarily decided the point by drawing from his pocket an order (hitherto not gazetted) to the following effect:—"That every petition *in formâ pauperis* in the court of London, by a person so entitled to petition for adjudication of bankruptcy against himself, should be attested by Walter William Aldridge, the solicitor for petitioners *in formâ pauperis* in the said court, or by one of his clerks." The order goes on further to state that in every bankruptcy in the said court, after the first meeting of creditors, if no creditors' assignee be appointed, the said solicitor for petitioners *in formâ pauperis* shall act in the prosecution of such bankruptcy. The third paragraph is, "that Walter William Aldridge receive under every petition *in formâ pauperis*, and under every adjudication by a registrar against a prison debtor, a fee of £3, exclusive of payments made for copies of proceedings, and £5 per cent. on such assets as may be recovered under the bankruptcy; and in the event of there being no assets, or not sufficient to satisfy this requirement, then such fees and payments so made, or the deficiency, as the case may be, to be paid out of the chief registrar's account."

Now, the persons whose petitions are attested by Mr. Aldridge or his clerk are for the most part extremely poor, having no estate, and therefore Mr. Aldridge has almost invariably to resort to the registrar's fund. It is not pretended that Mr. Aldridge represents these poor people whose petitions are attested by himself or by one of his clerks, the prisoner having to employ his own solicitor. The result is, that to support that fund, from which Mr. Aldridge is believed to draw some thousands per annum, furniture, beds, and bedding of those bankrupts who are not in custody are seized, the merciless act not allowing any excepted articles whatever.

Parliament will shortly meet, when I hope a searching investigation will be made into the emoluments of the office of Mr. Aldridge, as also into the utility of his appointment. The absurdities and barbarity of the Act of 1861, which furnishes a melancholy subject of contemplation both for the satirist as well as the moralist, will also I hope receive their due share of attention. A SOLICITOR.

BANKRUPTCY ACT, 1861—DIVIDENDS UNDER INSOLVENCIES.—In November, 1861, the Insolvent Court issued dividend warrants to the creditors upon a particular estate; among them were some clients of mine, bankers.

The warrant was sent to me duly signed, but on my presenting it for payment I was informed that a claim was set up, and the dividend must be postponed.

My clients informed me that the claim had been disposed of, and that the dividend was payable.

I accordingly applied for it to-day when I was informed that I could not receive it in consequence of the funds of the Insolvent Court having been transferred to the Bankruptcy Court under the Chancellor's Act, and no mode of paying them out having been provided. This really seems grossly unjust.

Dec. 5. G.

CRIMINAL AND MAGISTRATES' LAW.

SUMMARY JURISDICTION—QUESTION OF TITLE—GAME ACT—On an information under the Game Act (1 & 2 Will. 4, c. 32), for trespass on land in the occupation of the lord of a manor, in pursuit of game, the defendant by his attorney denied that the land was in the lord's occupation, but was common or waste land of certain parishes of which he was not a parishioner, and also tried to set up as a right to shoot on the ground, that he had shot there before, the justices found, as a fact, that he had no reasonable ground for setting up title or right, and convicted him; and on a case setting out the evidence,

Held, that they were warranted in so holding, and that to oust their jurisdiction there must be a colour of claim of right.

Held, also, that if there was any evidence to prove the alleged occupation, the conviction could not be set aside. —*Cornwall* v. *Sanders*, Q. B., 11 W. R. 87.

PROCURING ABORTION.—It is necessary in order to support a conviction under 24 & 25 Vict. c. 100, s. 59, that the thing supplied should be noxious; and it is not sufficient that it might produce a miscarriage merely by affecting the imagination.—*Reg* v. *Louisa Isaacs*, C. C. R., 11 W. R. 95.

LARCENY—LOST CHEQUE—One who, in the expectation of a reward, withholds from the owner, whom he knows, a lost cheque received by him from the finder, is not guilty of stealing the cheque.—*Reg.* v. *Edward Gardner*, C. C. R., 11 W. R. 96.

ATTEMPTING TO COMMIT SUICIDE.—Suicide is not murder within 24 & 25 Vict. c. 100, ss. 11-15, and therefore attempting to commit suicide is a misdemeanour triable at quarter sessions.—*Reg.* v. *Elizabeth Burgess*, C. C. R., 11 W. R. 96.

PROBATE.

WILL—EXECUTOR ACCORDING TO TENOR.—Where deceased duly executed a paper containing these words,—"It is my wish for my dear husband to administer the moneys; the smaller bequests dear Laura will be so kind as to attend to"—and then in the presence of the attesting witnesses enclosed in it two other papers with writing on them, which she then sealed, and on her death

the first-named paper was found with two papers in the deceased's handwriting enclosed in it, and signs of its having been opened and resealed,

Held, first, that if the papers together constituted the last will of the deceased, the deceased's husband would be entitlod to probate as executor according to the tenor.

Secondly, that the reference in the paper which was executed was not distinctly to any written paper then existing, and that there was no such reference in the paper as would enable the Court to ascertain what that instrument was.—*Van Straubenzee* v. *Monck*, 11 W. R. 109.

ADMINISTRATION BOND—CITATION.—Citation granted calling upon one of the sureties to an administration bond to show cause why it should not be assigned for the purpose of being put in suit against him under the 83rd section of the Probate Act, 1857.—*Marshman* v. *Brookes, In the goods of Richard Baker (deceased)*, 11 W. R. 110.

PARLIAMENTARY FRANCHISE.

APPEALS FROM DECISIONS OF REVISING BARRISTERS.

COUNTY VOTE—QUALIFICATION AS TENANT.—A voter's qualification was described upon the register as "tenant" in the third column, and under the fourth column the name of the property was stated to be "Newstead Grange." Upon an objection that the qualification stated in the list was insufficient in law, and not sufficiently described for the purpose of identification, the revising barrister decided against both these objections, and that he had power to amend the third column by changing "tenant" into "farm as occupying tenant."

Held, that he had power to make the amendment, and

Semble, per Byles, J., that the original description was sufficient.—*Birks* v. *Allison*, C. P., 11 W. R. 90.

BOROUGH VOTE—PAUPER.—A., the son of a pauper, was summoned before justices in petty sessions to contribute to the maintenance of his father, whereupon he consented to pay eighteen pence per week, which offer was accepted by the guardians. A. continued to pay this sum for several weeks whilst his father was in the union, the residue of the father's maintenance, this sum not being sufficient for that purpose, being defrayed out of the common fund of the union. Upon an objection to A.'s qualification as an elector on the ground of his having received parochial relief under the 36th section of 2 Will. 4, c. 45,

Held, that A. had not received such relief as was contemplated by the statute.—*Trotter* v. *Trevor*, C. P., 11 W. R. 92.

BOROUGH VOTE—NOTICE OF OBJECTION.—In the parish of St. Paul, Bedford, there are two lists of voters made out—namely, "the ten pound or new qualification list," and "the reserved right list." A notice of objection, describing the objector, who was on the new qualification list, as being "on the list of voters for the parish of St. Paul," was held sufficient under statute 6 Vict. c. 18, s. 17, schedule (B.) No. 11.

Edsworth v. *Farrer*, 1 Lut. 517, distinguished.—*Samuel* v. *Hitchmough*, C. P., 11 W. R. 92.

GENERAL CORRESPONDENCE.

TENANCY FROM YEAR TO YEAR.

Had your correspondent, "An Articled Clerk," referred to the case of *Dean* v. *Cartwright*, which he alludes to, he would have seen that Mr. Stephen is perfectly correct. In that case Lord Ellenborough distinctly held that such a tenancy would enure as a demise for two years certain. If, as your correspondent seems to suppose, the tenancy could be determined at the end of the first year by a six months' notice being previously given, the words "for one year certain" would be mere surplusage; for an ordinary tenancy from year to year will enure for one year certain. There are a great number of cases reported in which this point has occurred, but I do not find any in which the judges appear to have had any doubt that such was the state of the law.

Your correspondent would do well to read the remarks and cases cited on this point in "Woodfall's Law of Landlord and Tenant," and the cases of *Doe d. Chadcorn* v. *Green*, 9 A. & E, 658, and *Reg.* v. *Chawton*, 1 Q. B. 247, cited in the observations on the case of *Clayton* v. *Blakey*, in "Smith's Leading Cases."

G. B. W.

A demise "for one year certain, from the 1st of January, 1860, and so on from year to year, as long as both parties please," undoubtedly creates a tenancy for two years at least, and therefore such tenancy cannot be determined before the end of the *second* year. I believe several authorities could be cited in support of this proposition.

Your correspondent need not, I think, be much surprised at the direct contradiction of two "legal publications," in answering this point. I could refer him to the *Legulcian*, where he will find that the editors of that pamphlet, in answering No. 5 of the conveyancing department of Michaelmas Term's Examination Questions, appear to be in ignorance of the 25 & 26 Vict. c. 108, s. 2, by which trustees for sale, unless forbidden by the instrument creating the trust, may dispose of land with a reservation of any minerals, by obtaining the previous sanction of the Court of Chancery by petition in a summary way. And in answering question 7 in the same department, your correspondent will further observe the editors aforenamed seem wholly unaware that by the 19 & 20 Vict. c. 94, the custom as to the distribution of the personal estate of a freeman of the City of London, dying intestate after 1856, has been abolished.

December 4, 1862. J. T. S.

I am obliged to your various correspondents for the trouble they have taken in stating their views upon the point raised by me.

I have carefully considered most of the cases cited by them, and although the precise language in each differs, I am, on the whole, satisfied that the true effect of such a demise is as stated by Serjeant Stephen.

But that this has not always been so held appears from the note appended to the report of *Doe* v. *Green*, 9 Ad. & Ep. 661, from which I extract the following:—"In case a lease be for a year, and so from year to year as long as both parties shall please, that is a lease binding but for one year; . . . . *Dodd* v. *Monger*, Holt 416, 6 Mod. 215. It does not appear that this dictum was required by the case [*D.* v. *G.*] then before the Court; and a contrary doctrine seems to be now established in the case where *a year* is granted in the *first instance*, before the introduction of the words *from year to year*."

The concluding words of this note are conclusive, and sets this question at rest.

AN ARTICLED CLERK.

PATENT LAW AMENDMENT ACT.

One of the subjects which must shortly come before Parliament is the Patent Law Amendment Act, 15 & 16 Vict. c. 83. This Act has had ten years' trial, and though no doubt it is in advance of the previous Acts—at least in some respects—it is far from satisfactory, as is known to those members of the profession who practise in this department. Even a life devoted to such branch would, as I apprehend, give but a comparatively slight acquaintance with the intricacies attending questions of patent law.

It must not be forgotten that some, and indeed several of the difficulties involved in this branch of law, are the inevitable results and accidents of restraint. Patent law consists in fact of the restraints placed upon invention—all being traceable more or less to the celebrated Statute of Monopolies, 21 Jac. 1, c. 3. Many of your readers are, I doubt not, conversant with the history of patent law, and with what a modern author designates the "vicissitudes" of this branch of our institutions. These I pass by. Now that a commission is appointed to inquire into the subject, an advantageous opportunity presents itself to the profession to bring its suggestions before the public. Patent law is a fruitful source of litigation both to patentees and their assignees and licensees, as is well known.

Monopoly, was not, as all of us know, sanctioned in early times, either by Greece or Rome. The experience of modern times certainly—as I suppose, must be admitted—is in favour of a patent monopoly. Many of your readers will recollect the opinion of Mr. Bentham, which on the whole is, I believe, favourable to this species of monopoly. But a modern author, whose work contains a dispassionate and sensible review of patent law—I allude to Mr. Coryton's book—expresses a strong and valuable opinion on the practical part of this subject. This gentleman says, "In practice the action of the executive is too circuitous and slow, and the limits of the constitutional powers involved very indistinctly defined." Mr. Coryton then gives examples in support of his observation. Will not the profession "endorse"—to use a modern expression—this opinion? I venture to assume that they will.

Then, again, are the rights of the public—as the *quid pro quo*—adequately protected? Both parties to the monopoly are surely entitled to the protection which the bargain gives them, for such it really is when deprived of its regal accidents. These are the essential points for consideration, and it is to be hoped that practical men will give the public the benefit of their suggestions. Next to the bankruptcy laws I venture to assert that the patent laws are of the greatest importance to the internal policy of this country.

Dec. 9, 1862. J. CULVERHOUSE.

QUEEN'S COUNSEL IN THE COMMON LAW COURTS.

W. S. very properly commends the rule adopted in the equity courts, of obliging leaders to confine their practice to a particular court selected by the gentleman on his being called within the bar, as most convenient to the profession and to suitors; and he asks why cannot the same course be adopted by the leaders of the common law bar. That such a practice would be attended with benefit to the public there can be no doubt, and that it would far remove the stigma that now attaches to the common law leaders, of taking briefs in cases to which they could not attend is equally free from doubt. That this practice is not more frequently adopted at the common law bar than it has been, solicitors have to blame themselves alone. Within my own recollection one of the most able leaders at the common law bar, for a period of three years, confined his practice exclusively to the Queen's Bench, and far from its being appreciated by the profession, his practice considerably decreased, and I believe, if he had not broken through the rule, he would have been a serious loser. He now appears in all the courts, and is doing a large business. From the manner in which business is distributed at common law, I believe it would be the ruin of a leader to confine his practice to one court. Solicitors do not want the aid of the Incorporated Society to effect this desirable object. If they are in earnest and wish it to be done, they can bring it about themselves; but the fact is, the profession is not unanimous upon the subject, and the suitors are the sufferers. But the suitors are not free from censure themselves. Why do they not insist upon their solicitors giving their business to men who will confine their practice to one court? S.

PRELIMINARY EXAMINATIONS.

Could you inform me what is the average number that pass the preliminary examination in general knowledge previous to articles? A SUBSCRIBER.

[About one-third of the number who present themselves for preliminary examination in general knowledge are rejected. "A Subscriber" will find, in the *Solicitors' Journal* of October 11, 1862 (vol 6, p. 854), some statistics which will give him all the information he requires.—ED. *S. J.*]

THE LAW INSTITUTION.

You will confer a great benefit on us law students if you will call the attention of the Council of the Law Institution to the excessive heat maintained in the hall during the bi-weekly lectures; so great is the heat that scarcely a night has passed since the beginning of the lectures that many of those attending have had to leave before the hour has been completed, from no other cause than the above-mentioned. The instructive lecture delivered by Mr. Murray, on Friday, the 5th instant, was completely spoilt by the heated state of the atmosphere.

December 10, 1862. A SUFFERER.

INTERMEDIATE EXAMINATION.

I shall be much obliged by your informing me in the next impression of your useful and duly-read paper the following questions:—

1. The *earliest possible* time that an articled clerk, who is articled for *five* years from the middle of November 1861, can "go in" for the new intermediate examinations?
2. How soon can he obtain, and from whom, the list of books required to be taken up by each candidate?
3. How often are the examinations held in the course of the year?
4. Will the examinations be held in any other places besides London? S. I. E.

Bristol, Dec. 9, 1862.

[1. If the half term of service expires in *Easter Term*, 1864, the clerk may be examined in Michaelmas 1863. If the half term expires *after* Easter Term, 1864, he may be examined in Hilary Term, 1864.

2. The list for 1863 may be obtained at any time on application at the office of the Incorporated Law Society. The list for 1864 will be settled in July, 1863.

3. The examination is held once in every term in the Incorporated Law Society's Hall.

4. No.—ED. *S. J.*]

APPOINTMENTS.

Mr. GUSTAVE BARTHELEMY COLIN has been appointed Puisne Judge of the Supreme Court of the Island of Ceylon.

Mr. CHARLES MILLS has been appointed Sheriff for the territories of British Kaffraria.

Mr. FREDERICK MATHEW, of 16, Great Marlborough-street, has been appointed a London Commissioner to administer oaths in the Courts of Queen's Bench, Common Pleas, and Exchequer.

Mr. THOMAS HUGH OLDMAN, of Gainsborough, has been appointed a Commissioner to administer oaths in the High Court of Admiralty.

Mr. HERBERT HENRY POOLE, of Bartholomew-close, has been appointed a London Commissioner to administer oaths in the High Court of Chancery.

COLONIAL TRIBUNALS & JURISPRUDENCE.

NEW ZEALAND.

NATIVE COURT OF JUSTICE.

The following interesting particulars of a native court of law in New Zealand appears in a recent number of the *Nelson Examiner*:—

"Immediately afterwards [the maori, court, or *runanga*, was opened, as if in illustration of their speeches, and for my peculiar benefit. Old Riwai sat as judge. The case, one of *korero-teka* (slander), was introduced and argued by two young men, *roias* (lawyers), each having received a fee of ten shillings. The judge was quickly confused by them, and sent to ask me how to proceed. I replied that I was there as a spectator only, and wished to see how such cases were conducted. Plaintiff then began on behalf of her daughter, of ten years of age, whose gentle birth had been maligned, and in a screaming speech, with abundance of *pukana* (grimaces), demanded damages of £50 to be paid down at once. On this, loud laughter rose on every side. The child's father came forward to show how reasonable was the demand, saying that though the mother was a slave, he was a chief, and a great one too, and that the sum was little enough for having called his daughter a *taurekareka* (slave). He was quickly supported by aunts and uncles, in abundance, who all, doubtless, thought that £50 ready cash would be a good thing for the family, and so they all stood up and chattered together, making confusion worse confounded. By this time the two lawyers were nearly fighting, pacing about and speechifying one against the other; and the Court was about to decide in favour of the plaintiff, who had gained judgment solely through strength of lungs and impudence, when up jumped the defendant, a wretched looking old woman, and in tatters, and, rushing into the ring, she first divided the lawyers, then assailed the plaintiff, then abused the witnesses, heaped scorn on all the party, and justified the libel;

then repeated it most expressively, and dared them to their faces. The whole Court was instantly in an uproar, like Bedlam let loose, each person siding off to his party, and every speaker grinning at the rest, and all speaking and rushing about together, when my interference was again requested by the judge. Poor old man—he was all in a nervous sweat, and had evidently lost the train of his ideas. Order being restored, I took the case in hand, much to the discomfiture of the lawyers, and within a quarter of an hour the whole evidence had been extracted and the decision given. Judgment was still for the plaintiff, but only ten shillings damages; and yet all parties were pleased with the result; even the old dame herself was content crying out that 'she had never had such a sum in her life, and never should have, and that they might get the money as they could.' This speech was received with great applause and a collection at once commenced, when garments and coins of various value, amounting to about twenty-five shillings, were handed over and laid at the feet of the mother, the plaintiff, as a cure-all for her troubled mind and daughter's damaged reputation."

FOREIGN TRIBUNALS AND JURISPRUDENCE.

AUSTRIA.

LEGAL REFORM—LIBERTY OF THE SUBJECT.

The Emperor has just given his sanction to two important bills. The one for "the protection of the personal liberty of the subject" is in substance as follows:—

"1. No one can be taken from the hands of his lawful judge. 2. No one can be arrested without a judicial writ, which shall contain the grounds on which it was issued. The writ must be served when the person is arrested, or within twenty-four hours after such arrest has been made. 3. and 4. The organs of the executive power (the police) can, in certain cases—which are exactly defined in the penal code,—arrest a person, but they must either liberate him within forty-eight hours or deliver him up to the proper (criminal) authorities. 5. No one can be forced to reside in a certain place or district, or be expelled from any place or district, without reasons 'good in law' being given therefor. 6. Any official violation of the foregoing stipulations will be punished by arrest for a term which shall not exceed three months. 7. Persons suspected of an intention to take to flight shall be admitted to bail, but they must also solemnly promise not to quit their place of residence until the ends of justice have been answered. 8. This paragraph treats of the kind of bail to be given. 9. If the person admitted to bail should attempt to escape he will be arrested. 10. With the consent of the superior courts of justice, persons who are accused of crimes which are punishable with hard labour for five years can also be admitted to bail."

The foregoing law, which is signed by the Emperor, and counter-signed by the Archduke Reignier and the Ministers von Lasser and von Mecsery, is less liberal than could be wished, but still it is a step in the right direction. The law for the "Protection of House Right." (*Schutz des Hausrechtes*) runs thus:—

"1. As a rule, no house or parts of a house shall be searched without a judicial warrant, which shall contain the grounds on which such warrant has been granted. 2. For the furtherance of the ends of the criminal courts a member of such court, a police *employé*, or a municipal *employé*, shall also have the power to issue such a warrant. To the same end a house can also be searched by the police authorities if there is a summons out against its owner, or if he is publicly accused of a criminal act, or is in possession of goods unlawfully obtained. In such cases the proprietor of the house searched shall, within twenty-four hours, be officially informed why such search was made. 3 and 4. Any *employé* who shall illegally search a house, or a part of a house, shall be punished in accordance with paragraph 331 and 332 of the criminal code. 5 and 6. If, during a search, nothing suspicious (*verdächtiges*) is found, a certificate to that effect is to be given to the proprietor of the house."

The local papers have expressed no opinion in regard to the foregoing law, but the public loudly pronounces it to be "good for nothing."

BELGIUM.

JOINT STOCK COMPANIES.

The King of the Belgians has entered into a convention with her Majesty, whereby joint stock companies in Belgium and Great Britain are (subject to certain conditions) empowered to bring and defend actions in either country,

REVIEWS

The Divorce and Matrimonial Causes Acts, with the Rules and Orders, Notes and Forms. By F. A. INDERWICK, Esq., of the Inner Temple, Barrister-at-Law. Maxwell;—Stevens;—Sweet.

There is still a great diversity of opinion as to the best mode of editing Acts of Parliament, especially those which are of a very comprehensive character, such as the Bankruptcy and Insolvency Act, of 1861, and the Divorce Act of 1857. The latter Act revolutionized the practice, and to some extent the law, relating to divorce. So far as any statute deals with mere procedure, the most convenient mode for treating it is unquestionably that which is commonly adopted—namely, its annotation section by section, without any attempt at a more logical arrangement of its subject matter than what Parliament has thought fit to adopt. There can be little question, however, that where a statute effects important changes in the law itself, and more or less expressly overturns existing rules or interrupts the current of authority, it may often be advisable to depart from the order of the enactments, and to represent them in a manner which will at once show their relation to previously existing law, and also the general scheme which they constitute as a whole. For this purpose the form of a treatise is necessary. As the Divorce Act of 1857 partakes of both characters, it is not surprising that its several editors should have differed widely in their mode of treating it. The hand-book of Messrs. Pritchard, which was one of the first works on the subject that appeared after the new court was founded, adopts the form of a digest which includes the new law and also the old so far as it remains applicable. Thus, under the title of "Desertion," it gives us an account of the principles and practice of Ecclesiastical Courts in such cases, and then a digest of the modern statutory enactments and cases coming within the same category, but leaves the reader, to find out for himself, by a detailed comparison of the old and new law, how far they differed or agreed. Mr. Macqueen, who followed next, prefers the form of a treatise, in which he incorporates the old and new law, showing at a glance the relations of the two. His work, however, was hardly intended as a book of practice, and notwithstanding some attempts which have since been made to meet the want, we are not aware that anything satisfactory was accomplished in this way until Mr. Inderwick applied himself to the task; and after a careful examination of his book, we can say that it is well suited for the daily use of practitioners. The Divorce Acts, and the Rules and Orders of the Divorce Court, are given in full—the observations of the editor, which principally consist of concise statements embodying the effect of the reported decisions, being appended clause by clause. He also gives all the forms published in the Rules and Orders of 1858, and some additional forms. Nothing is attempted in the way of a treatise, or essay, beyond the preface, which gives a sketch of the main features of the Act when viewed from the point of pre-existing law. A work of this kind offers little scope for criticism. All that the author undertakes to do is to state concisely and in the proper place the result of the decided cases, and to help the reader to a better understanding of the statutory text by references to prior statutes and treatises. He may, however, be inaccurate in his notes of cases, or unskilful in their collation, or be guilty of a still greater offence by omitting them altogether. With two or three exceptions, which we shall mention, Mr. Inderwick is not open to any of these charges. He has exhibited both industry and skill in the cases cited, and there has been up to the present time hardly any decision of importance relating either to the law or the practice of the Court of Divorce, which will not be found in his book correctly stated, and under the head where it ought to be. Considering, however, that the entire number of these cases is not very great, we feel bound to notice two or three omissions. No mention is made of *Brocas* v. *Brocas*, 30 L. J. 172, deciding that a suit for dissolution of marriage abates on the death of the respondent, but that the Court would not, on the application of the petitioner, order that the petition and affidavit in support of it be removed from the file; of *Haydon* v. *Haydon*, 30 L. J. 112, as to the discharge of the jury, where neither of the parties appears in the matrimonial suit; or of *Tollemache* v. *Tollemache*, 30 L. J. 113. The last named case, which turned upon the effect of a Scotch divorce on the marriage of a domiciled Englishman ought not to have been overlooked, especially as the subject naturally comes within the general scope of the authorities cited on the

2nd section of the Act of 1857. But there is a more remarkable omission than in either of these cases. One of the most curious and interesting discussions which has arisen since the establishment of the new jurisdiction, was in the case of *Wing* v. *Taylor*, 7 Jur. N. S. 737. One question raised there was, whether according to the statute law of England a marriage in all other respects good, is in fact null and void if the man had previous carnal knowledge of any woman within the prohibited degree of affinity towards his wife. The petitioner claimed a decree of nullity upon the ground that previous to the marriage he had connection with the mother of the person whom he married. The statute 28 Hen. 8, c. 7 (which settles the prohibited degrees of affinity, and which by the way is not included by Mr. Inderwick in his "Statutes relating to Marriage,") enacts that "if it chance any man to know carnally any woman then all and singular persons being in any degree of consanguinity," &c., shall be deemed to be within the "limits of the said prohibition of marriage." There was a good deal of argument as to the effect of subsequent enactments passed in the reign of Philip and Mary, and of Elizabeth, and on demurrer to the petition, it was held that the facts alleged by the petitioner did not constitute affinity by the law of England, and that the statute of Henry 8 had been repealed and not revived by any subsequent statute. At the time when this case was before the Court of Divorce we called attention to it in these columns in an article* which also referred to another case then recently decided, which, although it is of still greater interest, does not appear to be cited by Mr. Inderwick. We allude to the well-known case of *Beamish* v. *Beamish*, which was decided by the House of Lords in the session of 1861. The effect of that decision is, that a clergyman cannot perform a valid marriage in secret between himself and another person. This was certainly of sufficient importance to to be cited in any work on matrimonial law. At the same time, we ought to add that, with the exceptions which we have pointed out, the work before us is characterised both by skill and care, and that it is the most convenient book extant on the practice of the Divorce Court.

The Magisterial Synopsis. By GEORGE C. OKE, Assistant Clerk to the Lord Mayor of London. Eighth edition. Butterworths. 1862.

The Magisterial Synopsis is one of the very few books which contain all that is asserted in the title page. It claims to be a practical guide for magistrates, their clerks, attorneys, and constables. Its massive bulk consisting of 1,206 pages shows resolution in the author not to be dismayed by the greatness of the labour, while this *eighth* edition attests his success in grappling with the difficulties of the undertaking. It is another of those admirable efforts of private enterprise, skill, and knowledge, which in England daily make up for the shortcomings, carelessness, and ignorance of the leaders of the people. Where but in England would a magistracy be invested with responsible and often arbitrary powers to act in most intricate duties without a code of rules, or at least an enumeration of matters for their controul or decision. It is proposterous that it should be so; but until Jervis's Acts smoothed a few of the most obvious of the complexities of a magistrate's position, he was left to roam through the Statutes at Large in the discovery of his powers and duties. However industrious and conscientious he might be, the task was too much for him. It was almost impossible by reading to learn his duties. His only resource was to rely upon the experience of others older in the commission than himself, until his own daily experience gave him, by dint of repeated mistakes receiving rude correction, the necessary knowledge. We do not say that some might not have explored passages of Burn's Justice, and even reached old Lambard. The author of the first was himself a most distinguished instance of a clergyman attaining a legal knowledge that would have graced the most eminent lawyer. But such exceptions are most rare, and ought not to be expected. It behoves a parental legislature above all things to make its laws clear and unmistakeable to its magistracy, for if they do not comprehend its enactments how much less will the poor and ignorant charged with breaking them. While blaming the Legislature for its neglect by testifying as we propose to do to the merits of Mr. Oke's efforts, we must not in fairness forget that there have been many essays in past times upon special branches of a magistrate's duties, and that only of late have there been endeavours to reduce into one treatise the matters which present themselves for summary decision. In the first rank among these professional experience bids us place the book under review. It is the very best substitute for the code of magisterial procedure, the necessity for which the author so strongly urges. Rapid has been the growth of the work under his hands from its first appearance in 1848, when it comprised 410 pages, to this, the eighth edition, which contains 1,206 pages. It has been the favourite child of a fond and watchful parent, for it is easy to see that the additions and emendations are such as a daily experience has suggested. We have said above that the work is the best substitute for a code. What was in our mind was, that its distinguishing feature, its most prominent excellence, is its resemblance to a code. Of all rules for the guidance of those who administer the law the best is that the law should always speak for itself. It is the natural tendency of those imperfectly informed on such matters to rely implicity on garbled versions and incorrect annotations of the statute law, to fly for refuge to some treatise expounding in general language what requires particular consideration, or to trust too confidently to the memory. This is a fault which has at times been censured even in the superior magistrates of Westminster Hall. Much that is important in enactments is lost sight of, much that is plain becomes obscure, when taken from its proper collocation, and rendered by explanatory words which throw little light on the subject.

In this book under each subject are to be found the very words of all important statutes, exact citations from standard treatises, and in their place the not less important creations and constructions of judge-made law. It aimed, as the author's first preface told us, at obviating "the inconvenience which justices and their clerks experience generally, but more especially when called upon suddenly to act in the bustle of a petty sessions, from the want of some book of reference in which might be found succinctly the legal requirements of the numerous enactments respecting each offence punishable summarily;" and it has gone farther, and includes, we believe we may say, all the subjects of summary jurisdiction. Let us mention, for instance, the heads—church rate, poor removal, lunatics, alehouse licences, oaths, friendly societies, landlord and tenant, health of towns, railways, reformatory schools, seamen, ships' passengers, local government, and towns improvement. Each of these has considerable space allotted to it, while a copious and well-assorted index is a ready guide to these as to the other valuable contents of the treatise. The synopsis of offences punishable on summary conviction is most succinct, yet offers at a glance the fullest information under the heads of offence, date of statute, time of laying information, number of and what justices to convict, penalty, &c., and mode of enforcing, of appeal, in and what time, and penalty to whom payable. It must indeed be of the highest use to those we have enumerated, but this is not all its merit. Even to those who ought, as members of the higher branch of the profession, to be conversant with such matters, it may be the saving of much time. How many are there who in chambers claim to know the law, and probably do so, but are called from one thing to another in the wide range of a lawyer's requirements in modern times, and who, as each subject offers itself, have first to consider and call to mind where its appropriate discussion and legislation are to be found before they can amass the materials on which to found their opinion. Perhaps in no branch of practice is this more peculiarly the case than the matters digested in this work. Most readily we may find here what we seek, owing to its dictionary form; most confidingly may we trust its pages without going farther in our search, because its quotations of Acts of Parliament are literal. Here is the very recent Act as to the keeping of petroleum, providing for the public safety, and the somewhat ancient one of 7 Anne, c. 14, which says that "If any book shall be taken or otherwise lost out of any parochial library, any justice may grant warrant to search for it." These may be taken as proofs of what we assert and are ready to answer for, that nothing is too recent or too old, too insignificant or too obscure, to escape Mr. Oke's attention, if its insertion may by possibility be of use to the distinguished body of whom he has long been a valued servant. The equally important synopsis of indictable offences at common law and by statute is marked by the same care, the same minuteness. This part has been almost re-written, owing to the recent important consolidations and change of law in the criminal law acts of 1861. Here we find blasphemy (9 & 10 Will. 3. c. 32), fraudulent trustees, larceny by bailee with a case as recent as 31 Law Journal, merchandize marks, &c. We feel we owe apology to many of our readers who probably have been long possessors of the Magisterial Synopsis, for our particular notice of the undisputed, and long-recognized merits

* 5 Sol. Jour. 450.

of this treatise. They will however, we have no doubt, be indulgent enough to attribute to its real cause our desire to express on their behalf and on that of the profession generally, our grateful acknowledgments to the author. Gratitude is indeed due to every able man who conscientiously sets himself to the task of lightening the labours of the legal practitioner. We do not hesitate to declare that this dictionary of crime and the procedure for its detection and punishment, should be found in the library of every magistrate and of every criminal lawyer. Indeed it would be a useful work of frequent reference to every one who takes interest in our daily records of crime. We trust the book may produce, for many years to come, reputation and profit for its author.

The Lawyer's Companion and General Day-Book, for 1863: *&c., &c.* Edited by H. Moore, Esq. Stevens, Sons, & Haynes.

The seventeenth annual impression of this very useful diary has just appeared. In addition to its usual amount of very useful information, and a London and Provincial law directory, it contains many useful forms relating to Bankruptcy, the Probate Court, and Succession Duties. The book also contains abstracts of the several important statutes of last session relating to highways, lunacy, parochial assessment, and real property. Altogether it is one of the most valuable of legal diaries.

SOCIETIES AND INSTITUTIONS.

THE INCORPORATED SOCIETY OF IRELAND.

At the general half-yearly meeting of this society, held at the Solicitors' Hall, on the 26th ult., Richard J. T. Orpen, Esq., President, in the chair, the following report of the Council was read by the Secretary, and adopted by the meeting:—

The Council, in reviewing the transactions of the Society which have engaged their attention during the past year, take first in order, as of much importance, the subject of the Registry-office. A sub-committee was appointed at the commencement of the year, by whom the systems at present and heretofore existing with respect to the internal arrangements of the office were investigated, and also the several plans and suggestions put forward for its future improvement; and a report was prepared by that committee, and adopted by the Council. A bill for the regulation of the office was brought into the House of Commons by Government, containing provisions in accordance with the report; but a subsequent general meeting of the Society passed resolutions and adopted a petition to Parliament disapproving of the bill. The petition was (in accordance with the resolutions) presented to the House, and the bill, with other measures, was allowed to drop at the close of the session. The Council feel that many improvements in the office are required, and they recommend to their successors the careful consideration of any bill that may be introduced upon the subject. In the month of February last your Council received a communication from the Landed Estates Court on the subject of some further directions as to surveys, maps, and conveyances, and a deputation from your Council waited on the judges of that court for the purpose of remonstrating against the printing of deeds and conveyances, and the insufficiency of the remuneration allowed for their preparation, when the purchase money was more than one thousand pounds, and where the length of the deed exceeded fifteen office sheets. The deputation was then informed that the printing of deeds was a matter finally decided on by the judges, but that on any other point they would be willing to receive any observations the Council might think fit; and, accordingly, the Council sent the judges their observations on the proposed schedule. The result was, that some alteration was made in the General Order, and some addition to the fees was obtained, but in the opinion of your Council not sufficient to remunerate the solicitor.

During the last session of Parliament a bill was introduced, intituled "An Act to amend the Laws relating to the Attorneys and Solicitors of the Superior Courts of England and Ireland respectively," having for its object to allow English attorneys to practise in Ireland and Irish attorneys to practise at Westminster. This bill was introduced so late in the session that it could not be effectually proceeded with; and the necessity did not arise for making any movement to oppose it; but if a similar measure should be introduced next session we strongly recommend that it should be carefully watched and opposed by our successors. This bill has on the face of it an apparent reciprocity, calculated to catch the approval of persons ignorant or unmindful of the state of property in Ireland. A large portion of the property of Ireland belongs to absentees resident in England, who have their solicitors there; also a great proportion of the articles of commerce consumed here are purchased in England; and the result of this bill, if passed into a law, will be that the absentee proprietor and the English merchant, in case of suits relating to their lands or to their sales of goods here, will employ an English solicitor, who will transact his Irish business by a clerk resident here, to the serious prejudice of the members of the profession in this country.

Your Council have had their attention called to the serious injury sustained by the profession in consequence of land agents and other parties acting as conveyancers who are not professional men, and who have not, consequently, received an education or acquired the experience to qualify them for the proper discharge of such duties, but who, nevertheless, prepare leases and other deeds, and exact fees which should of right belong only to members of the legal profession. Your Council, in co-operation with the Northern Law Club, have communicated with the proper authorities for the purpose of preventing in future this encroachment on the rights of the legal profession, by confining the issue of conveyancers' licences in this country to members of the legal profession. Your Council, on inquiring into the subject, have ascertained by a return from the Stamp-office that the number of such licences is very limited indeed, inasmuch as it appears that the certificates granted to conveyancers during the past three years were as follows:—1860, nine certificates; 1861, ten ditto; 1862, five ditto. So that, of course (the fact being notorious), a considerable number of persons act as conveyancers, who do not even take out such licence, and, consequently, in legislating on the subject, some stringent enactment will be requisite to check this practice, and to make the Inland Revenue Department more active in finding out and punishing such offenders; and your Council are of opinion that the profession should not be deterred by any feelings of delicacy from coming forward to aid the authorities when enabled to supply information; and your Council recommend that the subject commenced by them should be followed up by their successors.

Your Council received a communication from the English and Irish Courts of Common Law and Chancery Commission, accompanied by a list of queries and a printed statement of the practice and procedure of the superior courts of Equity peculiar to England and Ireland respectively, prepared by Mr. Chapman Barber and Mr. Jellett, and a printed statement of the practice and procedure of the superior courts of Law peculiar to England and Ireland respectively, prepared by Messrs. Jellett and Holland, all of whom appeared to have given the matter a great deal of careful attention. The subject is one of vast importance, and has received from your Council most anxious consideration, and we hope to submit to the adjourned general meeting of the society, to be held on 12th December next, the replies which they propose to send to the commissioners.

The Council, in referring to the examinations held previous to each term during the past year, of gentlemen seeking to be bound apprentices, have to observe that of the candidates, fifty-three in number, who presented themselves, thirty only have passed—a fact which proves the necessity and propriety of such an examination; but it is evident that the average proficiency has not yet arrived at the standard which the benchers have expressed themselves determined to insist upon, and which your Council earnestly desire to see attained; and in order to afford to apprentices the means of prosecuting their studies, rendered necessary by the examination which they must now undergo previous to their admission, we recommend that our successors should renew the application made some years since to the benchers to open the King's Inns Library to apprentices, and we also suggest that some modern works of practice should be added to the library of your society, and that the library committee should examine the books there and state what works are now useless, with the view of their being sold.

A statement was laid before your Council by a member of the society, from which it appears that a senior counsel having accepted a retainer from him, subsequently took a brief from the opposite party in the cause, on the ground that he had not been brought in on a motion of a simple character, in which it was considered only requisite to employ a member of the outer Bar, and that the party complaining having obtained opinions from the Solicitor-General and from a leading member of the Bar dissenting from such practice the counsel referred to (who is one of her Majesty's Serjeants-at-Law) declined to be guided by such opinions, and insisted that once retained in a

suit he was entitled to be sent a brief for every motion in that suit no matter how trivial, if on notice. The Council brought the matter under the consideration of the Bar, as also of the benchers, but without any result. As, however, the practice so sought to be established would, if generally adopted, be a grievance to suitors, by increasing considerably the expense of the proceeding, the Council trust that the Bar themselves will see the necessity of making a regulation which will prevent future complaint on the subject. Your Council last year adverted to a very objectionable publication, known as "Stubbs' List," and they recommend most strongly to their successors to endeavour to have its future publication prevented, and they would draw their attention to an action now pending in the Court of Queen's Bench upon this subject.

THE LIVERPOOL LAW SOCIETY.

The annual report of the committee of this society has just been issued. With respect to the Land Transfer Bills, the committee report that they do not anticipate these measures will materially affect the present system of conveyancing or (unless in a few exceptional cases) that they will be of any practical benefit to the landowner.

The committee are of opinion that the Bill to amend the Law of Judgments, introduced into the House of Commons by Mr. Hadfield and Mr. Locke King last session, would be a decided improvement in the present unsatisfactory state of the law relating to judgments, and regret that their opinion on this subject does not coincide with that entertained by the Metropolitan and Provincial Law Association. The committee have reason to believe that Mr. Hadfield intends bringing the matter forward again early next session.

The preliminary examinations of candidates for articles of clerkship, under the new rules, have been held in Liverpool for the first time during the past year. The committee, having been requested by the council of the Incorporated Law Society to nominate two solicitors of standing in Liverpool to act as local examiners, selected Mr. Lace and Mr. Eden, by whom three examinations have already been conducted. At the first examination, held in February last, out of four candidates who presented themselves for examination, three passed successfully,—of the second held in May last, out of ten candidates, eight were passed,—and at the third, which was only held last month, seventeen candidates were examined; but the result of this last examination has not yet been ascertained. Similar examinations have been held at Manchester, Birmingham, Leeds, Bristol, Cardiff, Exeter, and Newcastle-under-Lyne.

The number of members has been increased by the election of Messrs. W. T. Pears, J. J. Yeates, G. R. Rogerson, and W. H. Anthony. Two of the members, Messrs. John Whitley and William Owen, have died; and two members, Messrs. John Sanderson and Latham Hanmer, who have ceased to be practising solicitors, have resigned. The number of members is now 151.

THE CITY SOLICITORSHIP.

A special meeting of the Common Council was held at Guildhall on Monday, in reference to the vacant office of City Solicitor, the Lord Mayor presiding.

Mr. SYDNEY H. WATERLOW, chairman of the committee, to whom it was referred on the 18th of September to inquire into the nature, duties, and emoluments of the office, and whether any, and if any, what alteration should be made, and especially to consider if the office might with advantage be amalgamated with any other existing appointment in the corporation, presented their report on the subject. The material part of it was that the committee recommended that in future, instead of a fluctuating income, the City Solicitor should have a fixed salary of £1,250 a-year, clear of all expenses of his office (which are not to exceed £500 per annum), and to include all emoluments. They also recommend that he should not be permitted to hold any other appointment, nor to engage in the transaction of any professional business for or on behalf of any other parties than the corporation, but that his time should be exclusively devoted to the duties of the office. They had considered the question of amalgamation in connection with the offices of the Comptroller, Secondary, and Remembrancer, and gave reasons why they thought it not desirable at present, suggesting at the same time that such amalgamation might be practicable with respect to the appointment of Remembrancer on a future contingency. A return appended to the report, prepared by Mr. Brand, the Comptroller, showed that the net receipts of the late Mr. Charles Pearson from the office of City Solicitor, during the fourteen years he held it, amounted to £29,139 11s. 9d., or £2,081 8s. a year upon an average. From July, 1859, to September, 1862, Mr. Pearson was also solicitor to the Commissioners of Sewers, to the Irish Society for fourteen years, to the Coal Whippers' Commission, and to the Thames Conservators from September, 1848, to September 1858.

Mr. WATERLOW, in moving the adoption of the report, explained that in recommending a fixed salary the committee had been guided by the example of many public companies, the Board of Works, the Government in respect to the solicitor to the Post Office, and of the Corporation itself with regard to their own Comptroller.

Mr. NORRIS, M.P., opposed the motion, contending that the proposed salary was not sufficiently liberal to secure the services of a competent person, and that the report itself was full of anomalies and contradictions, some of which he sought to point out, and was the result of nothing like unanimity among the committee. They appointed a sub-committee of five, who went into the consideration of the matter in detail, and made a report, about which they were so much at variance that it was only adopted by the casting vote of the chairman, and yet it afterwards formed the groundwork of the deliberations and conclusions of the general committee. The late solicitor was appointed on the understanding that he was to hold no other office, and yet he was at one time keeper of Whitecross-street Prison, high bailiff of Southwark, solicitor to the Irish Society, the Commission of Sewers, the Thames Conservancy, and under the Coal Whippers' Act. He proceeded, in some detail, to show what he thought were substantial and fundamental errors in calculating the emoluments of the late solicitor from all sources, with the view to a result which was to guide the committee in arriving at the proper amount of a salary for his successor that was to be fixed. Adverting to the cases where the solicitor would have to pay into the City Chamber money received by him as costs or fees in actions in which he might be engaged on behalf of the corporation, Mr. Norris argued that under the arrangement of a fixed salary the receipt of such costs would make the corporation in its aggregate capacity a partner with a lawyer, which would be an illegal proceeding. For those reasons mainly he moved as an amendment that the report be referred back to the committee for reconsideration.

The amendment was seconded by Mr. Kelday, chairman to the City Lands Committee, who contended that it was for the honour and interests of the corporation that an officer whose duties were so multifarious and important should receive a commensurate amount of remuneration. The late Mr. Pearson, he said, in a letter to a committee of the corporation in July, 1848, thus epitomised his functions:—

"I am the practical legal functionary of the most powerful, most wealthy, most liberal corporation in the world—a corporation which requires that, for the discharge of its multifarious duties, its solicitor shall have a competent knowledge of constitutional, municipal, equitable, and criminal law; and that he shall not only be practically acquainted with the history, laws, and customs, and the peculiar rights, privileges, and duties of all the component parts of this great body, but shall also possess the zeal and ability requisite to uphold, maintain, and enforce them. . . . When I reflect upon the fact that I have done, am doing, and am about to do, more work for less money than any professional man in the kingdom, I feel I ought not to be ashamed to own that, during the last six years, while struggling with an inadequate income to maintain an appearance becoming my official station and its assumed emoluments, the painful forebodings of futurity have, notwithstanding a cheerful countenance, sometimes preyed upon an aching heart."

Mr. KELDAY, amid the applause of the court, submitted that if they expected a solicitor properly qualified for the office according to the standard of requirements laid down by its last occupant, they must hold out such an amount of remuneration as would attract persons of high character and acquirements as candidates. If the labours of the office had for the last fourteen years been such as to justify a salary of £2,000, in round numbers, he asked what, if anything, had occurred since Mr. Pearson's death in September last to justify a lower rate of remuneration.

Mr. DE JERSEY, one of the five members of the sub-committee, contended that the proposed salary of £1,250 was ample, comparing the duties of the office with those of the solicitor to the Board of Works and to the Post Office and other public departments. He reminded the Court that Mr.

Pearson had found time to act as solicitor to the Commissioners of Sewers, the Irish Society, the Thames Conservancy, and so forth; and he argued that the duties of City Solicitor proper could not have been so very onerous as had been represented, and that the object of the amendment was simply delay.

Mr. ANDERTON warned any solicitor who might undertake the office and share his fees with the corporation, that he would be liable to be struck off the rolls.

Mr. LAWLEY appealed to the Common Serjeant whether a solicitor appointed by the Court to the office in question, could legally pay any portion of the money received as costs or fees, in any action or suit in which he might be engaged on behalf of the corporation, into the City Chamber?

Mr. CHAMBERS, in reply, said he should have preferred being excused answering at a moment's notice a question turning on the construction of an Act of Parliament. The inclination of his opinion was that the section of the Act to which reference had been made did not apply to the case under consideration. There were certain terms which would seem to include it, but he thought the intention and policy of the Act were averse from such a construction. He should not, however, like to be bound by that opinion.

Mr. H. LOWMAN TAYLOR exposed the idea of a division of profits by the corporation and its solicitor as simply a little *ruse* to divert the Court from the real matters at issue. He showed that the average annual amount of such fees during the last fourteen years was little more than £290; that there was in that interval no such division of profits; and that, in future, as before, the money would go towards the salary of the solicitor. He was of opinion that the proposed salary was sufficient, that the object of the amendment was delay, for a purpose, and that it would be absurd to send the report back for reconsideration, seeing that although the sub-committee were divided in opinion, the general committee were in favour of the report almost to a man.

Mr. BURNELL reminded the Court that although a solicitor to the Post Office had recently been appointed at a salary of £1,500, another gentleman had been appointed as assistant solicitor with a stipend of £800.

Mr. Bone, Mr. Rowe, Mr. Longden, Mr. Deputy Lott, Mr. Deputy Lloyd, Mr. Ellis, and Mr. Richardson also took part in the discussion.

Eventually, on a division, the motion for adopting the report of the committee was carried by a majority of 59 in a court of 131 members.

Mr. LONGDEN gave notice of motion to rescind so much of the resolution as confirmed the report, fixing the salary at £1,250, and to substitute £1,500.

Thursday next, the 18th, was then fixed as the day of election to the office, and the Court adjourned.

LAW STUDENTS' JOURNAL.

ORDER FOR THE APPOINTMENT OF SPECIAL EXAMINERS UNDER 23 & 24 VICT. c. 127.

Whereas, by an order made by us, the Right Hon. Sir Alexander James Edmund Cockburn, Lord Chief Justice of the Court of Queen's Bench, the Right Hon. Sir John Romilly, Master of the Rolls, the Right Hon. Sir William Erle, Lord Chief Justice of the Court of Common Pleas, and the Right Hon. Sir Frederick Pollock, Lord Chief Baron of the Court of Exchequer, on the 26th day of November, 1861, certain persons were appointed examiners until the 1st day of December, 1862, to examine persons proposing to enter into articles of clerkship to attorneys or solicitors, who should apply to be examined pursuant to the statute 23 & 24 Vict c. 127, s. 8, and our order of the 26th day of July, 1861, in the following subjects—viz:—

1. Reading aloud a passage from some English author.
2. Writing from dictation.
3. English grammar.
4. Writing a short English composition.
5. Arithmetic—a competent knowledge of the first four rules, simple and compound.
6. Geography of Europe and of the British Isles.
7. History—Questions on English history.
8. Latin—elementary knowledge of Latin.

And in some one of the six following subjects:—

1. Latin. 2. Greek — modern or ancient. 3. French. 4. German. 5. Spanish. 6. Italian.

And whereas the period for which the said examiners were so appointed by us as aforesaid has expired.

Now we do hereby order and appoint that Johann Fried Christoph Muncke, of Bruce-terrace, Northumberland Park, Tottenham, a Doctor in Philosophy, in the University of Leipzig, shall, from the 1st day of December, 1862, until the 1st day of December 1863, be the special examiner to examine every person proposing to enter into articles of clerkship to attorneys or solicitors who shall apply to be examined pursuant to the said Act and the said orders of the 26th day of July 1861, and 26th day of November 1861, or either of them, in modern Greek, French, German, Spanish, or Italian; and that Christopher Knight Watson, M.A., of Trinity College, Cambridge, secretary to the Society of Antiquaries of London, shall from the said 1st day of December, 1862, until the 1st day of December, 1863, be the special examiner to examine every person who shall apply to be examined pursuant to the said Act and to the said orders in all the other subjects hereinbefore mentioned. —Dated this 1st day of December, 1862.

(Signed) A. E. COCKBURN.
JOHN ROMILLY.
W. ERLE.
FREDK. POLLOCK.

LAW LECTURES AT THE INCORPORATED LAW SOCIETY.

Mr. T. H. HADDAN, on Equity, Monday, December 15.
Mr. W. MURRAY, on Common Law and Mercantile Law Friday, December 19.

PUBLIC COMPANIES.

The *Gazette* of Tuesday publishes a convention between her Majesty and the King of the Belgians relative to joint-stock companies, which contains the following articles:—

"Art. I.—The high contracting parties declare that they mutually grant to all companies and other associations, commercial, industrial, or financial, constituted and authorised in conformity with the laws in force in either of the two countries, the power of exercising all their rights, and of appearing before the tribunals, whether for the purpose of bringing an action, or for defending the same, throughout the dominions and possessions of the other power, subject to the sole condition of conforming to the laws of such dominions and possessions.

"Art. II.—It is agreed that the stipulations of the preceding article shall apply as well to companies and associations constituted and authorised previously to the signature of the present convention as to those which may subsequently be so constituted and authorised.

"Art. III.—The present convention is concluded without limit as to duration. Either of the high powers shall, however, be at liberty to terminate it by giving to the other a year's previous notice. The two high powers, moreover, reserve to themselves the power to introduce into the convention, by common consent, any modifications which experience may show to be desirable."

PROJECTED COMPANIES.

THE BRISTOL AND SOUTH WALES ZINC SMELTING COMPANY (LIMITED).

Capital £100,000, in 10,000 shares of £10 each. Solicitors —Messrs. Ashurst, Son, and Morris, 6, Old Jewry.

The object of this company is to raise zinc ore and smelt it at their own works, thus combining the two operations under one management, and securing the supply of the ore and coal at first cost, for which purpose arrangements have been made for the purchase of zinc mines in South Wales, and also a colliery and works near Bristol, advantageously placed, where it is proposed to erect zinc smelting furnaces on the most approved system, as adopted on the Continent.

THE GREENLAND COMPANY (LIMITED) FOR TRADING IN FURS, SKINS, OILS, AND MINERALS.

Capital £100,000, in 20,000 shares of £5 each. Solicitors —Messrs. Ashurst, Son, and Morris, 6, Old Jewry.

The object of this company is to carry on a trade in furs, skins, &c., along the whole of the east cost of Greenland; and also for working mines of copper, tin, lead, &c., on the west coast.

THE LEBONG TEA COMPANY (LIMITED), DARJEELING, NORTHERN BENGAL.

Incorporated under the Companies Act, 1862. Capital

£100,000, in 10,000 shares of £10 each. Solicitors—Messrs. Howard, Dollman, and Lowther, 141, Fenchurch-street.

This company is formed for the cultivation and manufacture of tea on two valuable and extensive estates, situate on the spurs of the Himalayas, in the neighbourhood of Darjeeling. The cultivation of tea in India has been of late years eminently successful, and the advantages which this locality possesses over other districts in which tea is being cultivated are considerable; the plant, as grown on these slopes, yields a leaf equal in quantity, and, as tested by the price in the London markets, superior in quality, to any hitherto grown in India; the supply of labour is more abundant and certain, and the climate exceedingly salubrious.

THE LONDON, BIRMINGHAM, AND SOUTH STAFFORDSHIRE BANK (LIMITED).

Capital £1,000,000, in 10,000 shares of £100 each. Solicitors—London: Messrs. Mason, Taylor, and Mason, 15, Furnival's-inn. Birmingham: Messrs. Rawlins and Rowley.

The object of this bank is to establish increased banking facilities for Birmingham and South Staffordshire.

THE UNITED KINGDOM RAILWAY ROLLING STOCK COMPANY (LIMITED.)

Capital £100,000 in 10,000 shares of £10 each. Solicitors—Messrs. Thrupp and Dixon, 3 Winchester-buildings, London.

This company is formed for the purpose of purchasing railway rolling stock, and leasing the same to railway companies and others for short periods under agreements which will provide for the purchase of the stock by the companies at the expiration of the lease. The rent and purchase-money will be payable by quarterly instalments, extending over five or seven years. The stock will remain the property of the rolling stock company till the last instalment is paid, and the lessees will be required to maintain it in repair.

A question of jurisdiction has been raised in the action for divorce instituted in the Scotch courts by the Hon. Horace Pitt against his wife, on the ground of adultery. The parties were married in 1845, but never regularly lived together, and only occasionally cohabited in the wife's maiden residence. In 1854 Mr. Pitt had fallen into such heavy pecuniary embarrassments that he had the alternatives before him of the Insolvent Court or of removing from England. He proceeded to Scotland, and for some years lived at the shooting-quarters of friends in the islands of Harris and Lewis. In 1858 he became tenant of the house and shootings of Kilninver, near Oban, in Argyleshire, on a lease of six years, and was residing there when he instituted the present suit, in December, 1860. With the exception of an occasional visit to England, and to the Crimea in 1855 in search of military employment, which he did not obtain, Mr. Pitt constantly resided in the place of his voluntary exile, but apart from his wife, who never even visited Scotland. Mrs. Pitt resisted the action on the ground that the Scotch domicil of the husband was temporary, assumed for the exigency of his position, and was not intended to displace, nor was effectual in displacing, the original English domicil, and on that ground she disputed the jurisdiction of the Scotch Courts. Lord Ordinary Kinloch affirmed the jurisdiction, and the Judges of the Second Division on the 5th inst., unanimously sustained the judgment. Their Lordships were of opinion that Mr. Pitt had acquired a domicil in Scotland to the effect of giving them jurisdiction in the question of matrimonial *status*. His residence in Scotland had been deliberately taken up, and for a period far more than sufficient to acquire a domicil there. The only difficulty arose from his wife not having accompanied or followed him, but the principle which governed such cases was that the domicil of husband and wife was inseparable, and that the wife had her domicil in law wherever the husband had his in fact. If the wife had not followed him it was in violation of her conjugal duty that she had failed to do so. There was no proof of wilful desertion, nor of any refusal by the husband to entertain his wife in his Highland home. They had simply, as was remarked by the Lord Justice Clerk, become indifferent and careless in their conjugal relations. There were, or were thought to be, incompatibilities of temper between them. They had not lived together in England in any proper sense of the term, and when the husband went to Scotland it was obviously treated by both as an impossibility that the wife should be brought to share his hardships, or to contribute by her means to mitigate, or by her presence to sweeten them. It did not appear that the husband was unwilling to receive his wife, nor, on the other hand, that the wife had ever proposed to accompany or follow him, though his reduced fortunes did not diminish her duty and obligation to do so. Lord Cowan held that Scotland was the home to which the wife was bound by her marriage vows to have resorted, and, whether she did so in fact or not, her domicil must be held to be with her husband. Lord Neaves remarked that the law, that wherever the husband set up his home there the wife should be, was founded on moral considerations of the highest and most stringent nature, and that the fact that she had deserted her conjugal duty in this respect was not to deprive the husband in the courts of the country where he resided from calling his wife to account for that further violation of conjugal duty now alleged against her. Lord Benholme also concurred, and the Court remitted to the Lord Ordinary to proceed further with the case.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

DENMAN—On Dec. 5, at 14, Eaton-place South, the wife of the Hon. G. Denman, Q.C., M.P., of a son.

MEYNELL—On Dec. 6, at Durham, the wife of Edgar Meynell, Esq., Barrister-at-law, of a son.

SWARBRECK—On Dec. 1, at Thirsk, the wife of Charles Swarbreck, Esq., Solicitor, of a son.

MARRIAGES.

HITCHINS—BAINBRIDGE—On Dec 4, at St. James's, Westminster, Horatio Otto Hitchins, Esq., Captain Royal Artillery (Bengal), youngest son of Major-General B. R. Hitchins, Madras Army, to Agnes Dent, only child of the late Charles Hardy Bainbridge, Esq., Solicitor, Bombay.

ROBINSON—REDDISH—On Dec. 4, at St Mary's Church Islington, William S. Robinson, Esq., of Bishopwearmouth, Solicitor, to Elizabeth, only daughter of John Reddish, Esq., Adlington Villa, Highbury Newpark, Middlesex.

WOOD—PENNEFATHER—On Dec. 9, at St. Stephen's Church, John Gathone Wood, eldest son of John Wood, of Thedden Grange, Hants, to Susan Mary, only daughter of Edward Pennefather, Esq., Q.C., Dublin.

DEATHS.

BASHAM—On Dec. 4, at his house, 10, Hugh-street, George Basham, Esq of Staple-inn, and Aldeburgh, Suffolk, Solicitor.

MULES—On Dec. 4, at Hill House, Copdock, Suffolk, Henry Charles Mules, Esq., Copyhold Inclosure and Tithe Commissioner, aged 46.

SHEE—On Dec. 5, at 5, Sussex-place, Hyde Park-gardens, Edith, daughter of Mr. Serjeant Shee, aged five years and three months.

ESTATE EXCHANGE REPORT.

AT THE MART.

By Messrs. NORTON, HOGGART, & TAIST.

Freehold property, 42, Ludgate-hill, let at £72 per annum, sold for £5,350.

By Mr. FRANK LEWIS.

Leasehold—Three houses, No. 116, Wood-street, and Nos. 6 and 7, Paul's-court, Huggin-lane, Cheapside. Term, Wood-street, 48 years, from 1847, at a ground-rent of £170 per annum; Paul's-court, 61 years from 1847, at a ground-rent of £55 per annum; let at £650 per annum; sold for £3,630.

By Messrs. E. & H. LUMLEY.

The Copyright and Goodwill of the "Sun" Newspaper; also the leasehold premises, No. 112, Strand, and No. 3, Church-row, adjoining No. 112, Strand, held till 1871, at £250 per annum; and No. 3, Church-row, held till 1877, at £70 per annum (also the machinery, plant, type, &c., to be taken at a valuation of £1,440); sold for £2,420.

By Messrs. PETER BROAD & PRITCHARD.

Leasehold Waterside Premises known as Platform Wharf, Rotherhithe-street; term 28 years, from, 1839, at £37; sold for £6,000.

By Messrs. DANIEL SMITH, SON, & OAKLEY.

Freehold residence, known as "Fromer Lodge," Down, Kent, and 12a. of land—Sold for £1,300.

By Messrs. REE, SON, & BENINGFIELD.

Freehold estate, known as "Whitehill Farm," in the parishes of Great and Little Munden, Herts, comprising 341a. 2r. 19p. of land, with farm residence, homestead, and labourers' cottages—Sold for £12,600.

Freehold residence, with garden, orchard, &c., in all 3a. 3r. 26p, of land—Sold for £580.

By Mr. MURRELL.

Freehold estate, comprising business premises, &c., No. 35, Milk-street, Callow Hill-street, Bristol—Sold for £7,100.

AT GARRAWAY'S.

By Mr. F. VIGERS.

Leasehold Residence, No. 71, St. James's-street, Piccadilly; term, 73, years, from 1817; let at £150 per annum; sold for £1,220.

By Messrs. FIELD & FAITHFUL.

Leasehold, "The Samson's Castle," Wine and Spirit Establishment Grange, Bermondsey—Sold for £3,300.

UNCLAIMED STOCK IN THE BANK OF ENGLAND.

The amount of Stock heretofore standing in the following Names will be transferred to the Parties claiming the same, unless other Claimants appear within Three Months:—

EATON, RICHARD, Orange-street, Bloomsbury, Butcher. £1,000, £3 5s. per Cents.—Claimed by the said Richard Eaton.

GROVE, ROBERT, Shenstone Park, near Lichfield, Esq., and Rev. EDWARD

HARTOPP CRADOCK, Lowndes-street, Belgrave-square. £494 4s. 6d., New £3 per Cents.—Claimed by the said Robert Grove, and Edward Hartopp Cradock.

PITT, WILLIAM MORETON, Enscombe, Dorset, Esq., and Sir STEPHEN CORTRELL, Knt., Grosvenor-square. £1,353 3s. 8d., Reduced Annuities.—Claimed by John Floyer, surviving executor of the said W. M. Pitt.

LONDON GAZETTES.

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

FRIDAY, Dec. 5, 1862.

Allsop, Rbt Jas, Wallingford, Berks, Victualler. Jan 17. J. K. & C. Hedges, Wallingford.

Barklamb, Harriet Matilda, 65 Victoria-rd, Islington, Widow. Jan 15. Young & Plews, Mark-lane.

Bond, Rchd, 37 Brunswick-st, Blackfriars-rd, Gent. Jan 17. Kempster, Kennington-lane.

Brown, Fredk Shadrach Daniel, Waltham Abbey, Essex, Miller. Jan 15 Young & Plews, Mark-lane.

Brown, Sarah, Waltham Abbey, Essex, Widow. Jan 15. Young & Plews, Mark-lane.

Buckle, Matthew, Esq, Admiral, H. M.'s Navy. Jan 30. Dowding & Burne, Bath.

Errington, John Edw, 6 Pall Mall East, Civil Engineer. March 1. Swift & Co., Gt George-st, Westminster.

Thurnall, Arthur Wellington, Cambridge, Surgeon. Jan 2. Grain & Winter, Cambridge.

Greensmith, Thos, Wheaton Ashton, Stafford, Farmer. Jan 24. Heane, Newport, Salop.

Haseldine, Geo, 5 Lant-st, Southwark, Esq. Jan 1. Binns, 1 Trinity sq, Southwark.

Hockenhull, Wm, Fearnall, Chester, Farmer. Dec 31. Hockenhull.

Horton, Silvanus, Maldon, Essex, Gent. Feb 14. J. & W. Crick, Maldon.

Morland, Rev. George, Lancaster, Clerk. Feb 1. Hall & Son, Lancaster.

Olivant, Thos, Bothamsall, Nottingham, Grocer. Jan 1. Marshall & Son.

Peach, Chas Wm, Peterboro', Northampton, Wine Merchant. March 2. Deacon.

Smith, John, Scarborough, Gent. Jan 31. Brandson & Son, Sheffield.

Speechley, Susannah, 1 Clarence-pl, Clapham-rd, Widow. Jan 15. Young & Plews, Mark-lane.

Stringer, Wm, Horbury, York, Yeoman. Jan 1.

TUESDAY, Dec 9, 1862.

Baynes, Jno, Bishop Stortford, Gent, Feb 28. Taylor, Bishop Stortford.

Bland, Jno, Crosby Ravensworth, Westmorland, Yeoman. Feb 1. Heelis, Appleby.

Body, Jennings, Weybread, Suffolk, Gent. Dec 31. W. M. & T. Hazard, Harleston, Norfolk.

Bullock, Mary Ann, Camberwell, Widow, Feb 1. Desborough & Co. London.

Butler, Thos, Hythe, Kent, Gent. Jan 1. Stringer & Son, New Romney.

Crawhall, Elizabeth, Henrietta-st, Mddlx, Widow. Jan 17. Burgoynes & Co., 160 Oxford-st.

Farner, Benj, Macclesfield, Schoolmaster. Jan 31. Higginbotham, Macclesfield.

Gibbs, Daniel, Bristol, Glazier. March 1. Livett, Bristol.

Greenhough, Jno, Manc, Cheese Factor. Jan 21. Chapman & Roberts, Manc.

Hanbury, Rev Geo. Swaffham, Norfolk, Clerk. Jan 9. Baxter & Co., Victoria-st, Westminster Abbey.

Harrington, Right Hon Leicester Fitzgerald Charles, Earl of. Jan 24. Braund, Furnival's Inn.

Hodges, Wm, King's-rd, Chelsea, Gent. Jan 7. Mead, Jermyn-st.

Leighton, Rbt, Sheffield, Clerk. Jan 10. Parker & Son, Sheffield.

Lloyd, George Braithwaite, Birm, Banker. Dec 31. Griffiths & Bloxham, Birm.

Neate, Wm, Marlborough, Wine Merchant. Feb 7. Merriman & Gwillim, Marlborough.

Phillips, Geo, Clifton Hill, Bristol, Gent. March 1. Hobbs, Bristol.

Taylor, Jno, Macclesfield, Gent. Jan 31. Higginbotham, Macclesfield.

Thomas, Mark, Olveston, Gloucester, Farmer. Feb 1. Grossmans & Lloyd, Thornbury.

Tyson, Jas, Percy-pl, Hackney, Baker. Jan 12. Ward &, Mills, Gray's-inn-sq.

Wilson, Geo Hy, Cannon-st-rd, Mddlsx, Merchant. Jan 23. Morris & Co., Moorgate-st.

Wilson, Rbt, Bristol, Hat Maker. March 1. Hobbs, Bristol.

Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, Dec. 5, 1862.

Fox, Wm, Dunstable, Bedford, Saddler. Jan 8. Woods v. Fox, V. C. Stuart.

Game, Mary (otherwise Mary Mudd), Dagenham, Essex, Farmer. Dec 17. Neal v. Love, V. C. Wood.

Hardy, Thos, Wigan, Lancstr, Farmer. Jan 10. Hardy v. Hardy, M R.

Leycester, Hy Hammer, White pl, Cookham, Berks, Esq., Jan 7. Leycester v. Norris, V. C. Kindersley.

Neave, Edw, Gillingham, Dorset. Jan 9. Down v. Thompson, M.R.

Newton, Isaac, East Mount-ter, Whitechapel-rd, Esq. Dec 15. Moon v. Kelday, M.R.

Ormandy, Wm, Haigh, Lancstr, Delf Master. Jan 16. Glover v. Ormandy, M.R.

Patman, John Prior, Kingston-upon-Thames. Jan 10. Fricker v. Patman, M.R.

Williams, Rees, Llanganten, Brecon, Farmer. Jan 12. Davies v. Williams, V. C. Stuart.

(County Palatine of Lancaster.)

Walmsley, Joshua, Lpool, Bookseller. Jan 1. Walmsley v. Walmsley, Registrar's Office, Lpool.

TUESDAY, Dec. 9, 1862.

Bryan, Jonathan Wagstaff, Clement's-inn, Midx, Esq. Dec 13. V C. Stuart.

Carroll, Sir Geo, Cavendish-sq, Knt, Jan 9. Cobden v. Maynard. V. C. Wood.

FitzHerbert, Frances, Mount-st, Grosvenor-sq, Spinster. Jan 7. FitzHerbert v. FitzHerbert. V. C. Wood.

Hickman, Thos, Medbourne, Leicstr, Farmer. Jan 9. Hickman v. Hickman. V. C. Stuart.

Maclaren, John, Cornhill, Bootmaker. Jan 8. Maclaren v. Maclaren. M.R.

(County Palatine of Lancaster.)

Yates, Jane, Manch, Innkeeper. Dec 29. Challender v. Stelfox. Registrar's Office, Manch.

Assignments for Benefit of Creditors.

TUESDAY, Dec 9, 1862.

Wilson, Wm, & Peter Gaskill, Kingston-upon-Hull, Engineers. May 27. England & Co. Hull.

Deeds registered pursuant to Bankruptcy Act, 1861.

FRIDAY, Dec. 5, 1862.

Banfield, Alf, St George's-rd, Bristol, Tailor. Nov 13. Conv. Reg Dec 3.

Batten, Wm, Holsworthy, Devon, Grocer. Nov 20. Conv. Reg Dec 2.

Conder, Jas Notcutt, Ipswich, Haberdasher. Nov 8. Assmnt. Reg Dec 2.

D'Orville, Edw, & Thos Kay, Manch, Yarn Agents. Nov 7. Assmnt. Reg Dec 3.

Driffield, Chas, Aston, Warwick, Commercial Traveller. Nov 27. Conv. Reg Dec 2.

Dudfield, Saml, 1 Bridge-st, Bath, Tailor. Nov 13. Ass. Reg Dec 4.

Fitzpatrick, Michael, Lpool, Grocer. Dec 1. Comp. Reg Dec 5.

Gilbert, Hy, Gabriel's-Hill, Maidstone, Rope Maker. Nov 22. Assmnt. Reg Dec 1.

Hatfield, Thos, York, Miller. Nov 8. Assmnt. Reg Dec 3.

Jardine, John, Manch, Draper. Nov 7. Conv. Reg Dec 2.

Jarvis, Wm, 41 Gutter-lane, London, Commission Agent. Nov 28. Ass. Reg Dec 4.

Lampard, Wm, Desford, Leicester, Carpenter. Nov 8. Ass. Reg Dec 4.

Ming, Jesse, Lpool, Hotel Keeper. Nov 8. Conv. Reg Dec 3.

Murray, Alex, Bury, Draper. Nov 7. Conv. Reg Dec 3.

Osborne, Wm A. East Harling, Norfolk, Grocer. Nov 7. Asst. Reg Dec 4.

Paul, Wm Ed, Weymouth and Melcombe Regis, Dorset, Builder. Nov 5. Conv. Reg Dec 2.

Pickup, Hy, Whitby, York, Tobacconist. Nov 6. Conv. Reg Dec 3.

Robinson, T Fisher, Manc. Cotton Waste Dealer. Nov11. Asst. Reg Dec 4.

Scott, Jno, Almondbury, York, Butcher. Nov 14. Conv. Reg Dec 2.

Sharply, Jas, Fulford, York, Brewer. Nov 5. Conv. Reg Dec 2.

Walker, J, Concordia Mill, nr Bradford Stuff Manufactr. Nov 6. Conv. Reg Dec 4.

Williams, Geo, Wolvrhmptn, Stationer. Nov 27 Asst. Reg Dec 4.

Woodson, Wm, Leeds, Merchant. Nov 26. Asst. Reg Dec 4.

TUESDAY, Dec 9, 1862.

Aitchison, Rbt Ker, Grove-lane, Camberwell, Builder. Nov 15. Asst. Reg Dec 5.

Bardwell, Marcus Gill, Norwich, Stationer, Nov 27. Asst. Reg Dec 5.

Browne, Geo, Maidstone, Boot Maker. Nov 15. Conv. Reg Dec 6.

Carle, Louis Hy Christian Jacob, Westow-hill, Surrey, Victualler. Dec 1. Conv. Reg Dec 9.

Castine, Jno, Plymouth, Boot Maker. Nov 29. Comp. Reg Dec 5.

Dearnley, Hannah, Kirkburton, York, Widow. Nov 10. Asst. Reg Dec 4.

Ford, Jos, Stoke-upon-Trent, Commission Agent. Nov 17. Asst. Reg Dec 9.

Gibb, David, Bury, Draper. Nov 11. Conv. Reg Dec 8.

Griffith, Ebenezer, Birm, Tailor. Dec 2. Asst. Reg Dec 8.

Hedgcock, Thos, St Helen's, Lancaster, Painter. Nov 10. Conv. Reg Dec 6.

Hone, Rbt, Vine-court, Whitechapel, Dealer in Building Materials. Dec 6. Comp. Reg Dec 8.

Jones, Rbt Peter, Manc, Tailor. Nov 19. Asst. Reg Dec 6.

Lucas, Rchd, Huncote, Leicester, Grocer. Nov 10. Conv. Reg Dec 8.

Machin, Peter, Church Lawton, Chester, Builder. Nov 12. Asst. Reg Dec 8.

Morgan, Rbt, Llanelly, Grocer. Nov 11. Conv. Reg Dec 8.

Parlour, Hy Ed, Norwich, Ironmonger. Nov 29. Asst. Reg Dec 5.

Tate, Rbt, sen, & Rchd Tate, Gt Driffield and Whitby, Millers. Nov 10. Conv. Reg Dec 5.

Topley, Jno, Plumstead, Grocer. Nov 8. Conv. Reg Dec 5.

Ward, Rbt Gorton, Wolvrhmptn, Carrier. Nov 7. Asst. Reg Dec 5.

Warren, Jno, Ebury-st, Pimlico, Watchmaker. Nov 13. Asst. Reg Dec 5.

Bankrupts.

To Surrender in London.

FRIDAY, Dec. 5, 1862.

Boulter, Jno, 22 Chapel-st, Holywell-st, Shorditch, Saddler. Pet Dec 4. Dec 18 at 11. Silvester, 18 Great Dover-st, Newington.

Bowker, Hy, 5 Tulse-hill, Brixton, Stationer. Pet Nov 28. Dec 17 at 11.30.

Capp, Jos, Pyrford, Ripley, Surrey, Farmer. Pet Dec 2. Dec 18 at 12. Lawrence & Co., Old Jewry-chambers.

Cooper, Fredk Fox, 4 Chester-pl, Kennington-rd, Literary Writer. Pet Dec 3. Dec 23 at 10.30. Marshall & Son, 12 Hatton-garden.

Dubach, Jno, 28 Nicholas-lane, Lombard-st, London, Licensed Victualler. Pet Dec 1. Dec 17 at 11. Blakeley & Beswick, 26 Nicholas-lane.

Gocher, Alfred, Ilford, Essex, Butcher. Pet Dec 2. Dec 17 at 11.30. Webb, 7 Lincoln's-inn-fields.

Holland, Alfred, 3 Newman's-row, Lincoln's-inn-fields, Ironmonger's Assistant. Pet Dec 2. Dec 16 at 2. Parsons, Basinghall-st.

Lavington, Geo Rider, Owslebury, Hants. Pet Dec 2. Dec 17 at 11.30. Linklaters & Hackwood, 7 Walbrook.

Macrow, Thos Christmas, 78 & 80 Marlborough-rd, Chelsea, Grocer. Pet Dec 1. Dec 17 at 11. Buchanan, Basinghall-st.

May, Rchd, 23 St. John-st-rd, Clerkenwell, Grocer. Pet Nov 24 (for pau), Dec 18 at 11. Aldridge, Moorgate-st.

Ovens, Edwin, 10 Weedington-st, Kentish-town, Grocer. Pet Dec 2. Dec 18 at 11. Holt, Quality-ct.

Pearse, Livian Benson, Norwood Green, Southall. Pet Dec 3. Dec 16 at 1. Wright & Bonner, 15 London-st, Fenchurch-st.

Saltmarsh, Geo, Midmay-rd, Mouisham, Chelmsford, Builder. Pet Dec 3. Dec 17 at 12. Dunfield, 30 Cornhill.

Weston Jno, Bangharst, Basingstoke, Farmer. Pet Dec 2. Dec 16 at 2. Windsor.

Wall, Wm, Hawkesbury-st, Dover, Innkeeper. Nov 18. Dec 16 at 3 Aldridge, Moorgate-st.

To Surrender in the Country.

Alcock, Chas, South Duffield, York, Shopkeeper. Pet Dec 1. Selby, Dec 23 at 11. Banton, Selby.

Allen, Chas, Bisbrooke, Rutland, Cottager. Pet Nov 27. Uppingham, Dec 13 at 11. Law, Stamford.

Atkinson, Geo, Bradford-rd, Huddersfield, Tallow Chandler. Pet Nov 20. Huddersfield, Dec 18 at 10. Leadbeatter, Huddersfield.

Bakewell, Herbert Jas, 4 Higher Portland-pl, Stoke, Chief Draughtsman. Pet Dec 1. Stonehouse, Dec 17 at 11. Hooker & Co., Plymouth.

Boler, Saml, Sheffield, Confectioner. Pet Dec 2. Sheffield, Dec 15 at 10. Unwin, Sheffield.

Brayford, Allen, 11 Bradwell-st, Longport, Burslem, Butcher. Pet Dec 2. Hanley, Jan 10 at 12. Hall, Manc.

Bromley, Wm, 93 Ravald-st, Manc, Salesman. Pet Dec 1. Manc, Dec 24 at 9.30. Grundy, Manc.

Carr, Geo, Cumberland, Quarryman. Pet Dec 1. Penrith, Dec 17 at 10. Donald, Carlisle.

Chatburn, Jno Sutcliffe, 39 Bennett-st, Manc, Stonemason. Pet Dec 1. Manc, Dec 22 at 9.30. Rawlinson, Manc.

Clough, Jno, Grove-st, Hddsfld, Coal Agent. Pet Nov 27. Hddsfld, Dec 18 at 10. Learoyd, Hddsfld.

Coombs, Chas Wm, Oystermouth, Glamorgan, Auctioneer. Pet May 20. Cardiff, Dec 15 at 11. Ensor, Cardiff

Cooper, Jno, Bolton-le-Moors, Lancaster, Timber Merchant. Pet Dec 1. Manc, Dec 22 at 11. Cobbett & Wheeler, Manc.

Crosthwaite, Jno Maughan, Manc, Beer Seller. Pet Nov 28. Manc, Dec 24 at 11. Gardner, Manc.

Cummings, Ed, Everton, Lpool, out of business. Pet Nov 29. Lpool, Dec 18 at 3. Steble, Lpool,

Dixon, Frdk, Leeds, Book Keeper. Pet Nov 29. Leeds Dec 18 at 12. Ferns & Rooke, Leeds.

Eddowes, Ed, Alderbury, Salop, Labourer. Pet Nov 25. Shrewsbury, Dec 22 at 10. Dickin, Shrewsbury.

Edwards, Thos Wm, Caergwyrle, Flint, Farmer. Pet Dec 3. Wrexham, Dec 18 at 10. Acton, Wrexham.

Goddard, Chas, Manvers-st, Sneinton, Notts, Beerseller, Pet Dec 1. Notts, Dec 31 at 11. Smith, Nottnghm.

Gray, Geo, Ickleton, Cambridge, Grocer. Pet Dec 1. Saffron Walden, Dec 22 at 11. Whitehead, Cambridge.

Harrison, Jno, Killamarsh, nr Chesterfield, Derby, Farmer. Pet Nov 28. Sheffield, Dec 15 at 10. Fernell, Sheffield.

Hunt, Jno, Shieldfield, Ncastle-upon-Tyne, Tailor. Pet Nov 22. Ncastle-upon-Tyne, Dec 20 at 10. Brewis, Ncastle-upon-Tyne.

Jones, Ed, Ettingshall-lane, Bilston, Stafford, Licensed Victualler. Pet Wolvrhmptn. Dec 15 at 12. Walker, Wolvrhmptn.

King, David, Stoke-upon-Trent, Commission Agent. Pet Dec 1. Birm, Dec 15 at 12. Evans & Co, Lpool, and Hodgson & Allen, Birm.

King, Rchd, Marske, York, Beerseller. Pet Dec 3. Stockton, Dec 17 at 2. Simpson, Yarm.

Locke, David, Tiverton, nr Bath, Somerset, Innkeeper. Pet Nov 25 (for pau). Taunton, Dec 16 at 11.

Lubbock, Jno, 30, Marine-parade, Lowestoft, Lodging-house Keeper. Pet Nov 26. Lowestoft, Dec 17 at 2.30. Kent, Beccles.

Mansfield, Thos Jos, Whitmore Reans, Wolvrhmptn, Compositor. Pet Wolvrhmptn, Dec 15 at 12. Walker, Wolvrhmptn.

Matts, Thos, Walsall, Stafford, Iron Dealer. Pet Nov 26. Birm, Jan 5 at 12. Duignan, Walsall.

Messenger, Rbt Monk, Standon, Hertford, Rope Maker. Nov 13. Hertford, Dec 15 at 11.

Munden, Mary, Yetminster, Dorset, Spinster. Pet Nov 27. Yeovil, Dec 19 at 12. Fear, Sherborne.

Murray, Jno, Lpool, Butcher. Pet Dec 2. Lpool, Dec 22 at 11 Henry, Lpool.

Newsome, Thos Wm, Cloth Hall-st, Huddersfield, Beer Retailer. Pet Nov 29. Huddersfield, Dec 18 at 10. Leadbeatter, Huddersfield.

Nightingale, Hy, Nottnghm, Lace Manufacturer. Pet Dec 2. Nottnghm Dec 23 at 10.30. Maples, Nottnghm.

Overend, Chas Corry, Lpool, Accountant. Pet Dec 2. Lpool Dec 22 at 12. Anderson & Collins, Lpool.

Pawson, Wm, Tweedmouth, Northumberland, Ship Owner. Pet Dec 2. Ncastle-upon-Tyne, Dec 8 at 12. Story, Ncastle-upon-Tyne.

Phillips, Michael, Union Works, nr Newnham, Gloucester. Iron Master. Pet Dec 4. Bristol, Dec 19 at 12. Carter & Goold, Newnham, and Henderson, Bristol.

Porter, Thos Hall, West End-st, Heigham, Norwich, Butcher. Pet Nov 25. Norwich, Dec 15 at 11. Culley, Norwich.

Pringle, Thos, Newcastle-upon-Tyne, Joiner. Pet Nov 18 (for pau). Newcastle-upon Tyne, Dec 17 at 12. Hoyle, Newcastle-upon-Tyne.

Searle, Keros Caleb Anthony, Arreton, Isle of Wight, Farmer. Pet Nov 20. Newport, Dec 17 at 11. Joyce, Newport.

Sharp, Wm, Dalby, Lincoln, Farmer. Pet Dec 3. Kingston-upon-Hull, Dec 17 at 12. England & Co, Hull.

Shottin, Benj, Lavender Brow, Stockport, Beerseller, Pet Nov 28. Stockport, Dec 26 at 12. Howard, Stockport.

Smith, Thos, Middlesboro', York, Grocer. Pet Dec 2. Stockton, Dec 17 at 2. Simpson, Yarm.

Smithson, Robt Amis, Heigham, Norwich, Innkeeper. Nov 14. Norwich Dec 15 at 11. Atkinson, Norwich.

Stoyle, Emily, Newmaket Inn, Cheltenham, Victualler. Pet Dec 3. Bristol, Dec 19 at 11. Ridge, Cheltenham, and Bevan & Co., Bristol.

Suckling, Hy, Star-st, Ware, Tobacconist. Pet Nov 28. Hertford, Dec 15 at 11. Armstrong, Hertford.

Taylor, John, Birm, Jeweller. Pet Dec 3. Birm, Jan 5 at 10. Suckling, Birm.

Thompson, Jonathan, Hulme, Lancastr, Flour Dealer. Pet Dec 2. Salford, Dec 20 at 10. Elkoff, Manch.

Thornton, Geo Hy, St Martin, Worcestr, Printer. Pet Nov 27. Worcester, Dec 20 at 11. Cories, Worcester.

Watkins, Jas, Hereford, Builder. Pet Dec 1. Birm, Dec 15 at 12. Wright, Birm.

Westgate, Wm David, Testbourne, Hants, Farm Bailiff. Pet Dec 3. Southampton, Dec 17 at 12. Mackey, Southampton

Wilcock, Edw Taylor, Moss-lane, Sutton, Painter. Pet Dec 2. St Helens, Dec 17 at 11. Beasley, St Helens.

Williams, Thos, Fleur-de-lis, Monmouth. Pet Dec 2. Tredegar, Dec 20 at 11. Harris, Tredegar.

Wrack, Wm, Grasby, Lincoln, Labourer. Pet Nov 29. Caistor, Dec 16 at 3. Mackrill, Barton-on-Humber.

Wright, John, Gainsboro', Lincoln, Timber Merchant. Pet Dec 2 Gainsboro', Dec 15 at 11. Bladon, Gainsboro'.

TUESDAY, Dec 9, 1862.

To Surrender in London.

Asprey, Edw Chas, West Ham, Essex, Dyer. Pet Dec 5. Dec 23 at 12. Marshall, Lincoln's-inn-fields.

Barker, Thos, High-st, Shadwell, Baker. Pet [Dec 4. Dec 19 at 11. Marshall, Lincoln's-inn-fields.

Bell, Adolphus Fredk, Putney, Gent. Pet Dec 8. Dec 23 at 2. Tripp, Dane's-inn, Strand.

Berkley, Swinburne Fitzhardinge, Curzon-st, Mayfair, Esq. Pet Dec 3. Dec 30 at 11. Lawrence, & Co., Old Jewry.

Bishop, Paul Jno, Manor House, Putney. Solicitor. Pet Dec 2. Dec 23 at 11. Treherne & Wolferton, Gresham-st.

Bourn, Geo, Dover, Innkeeper. Nov 10. Dec 23 at 1. Aldridge.

Broughall, Rchd, Grosvenor-road, St John's Wood, Butcher. Pet Nov 20. Dec 23 at 1. Ley, Lincoln's-inn-fields.

Crowhurst, Geo, Dartford, Wheelwright. Pet Dec 4. Dec 23 at 12. Buchanan, Basinghall-st.

Ferdinand, Geo Ebenezer, Kingsland-rd, Pianoforte Dealer. Pet Dec 6. Dec 19 at 2.30. Mathews & Co., Leadenhall-st.

Freeman, Chas, Belvoir-ter, Vauxhall-bridge-rd, Carpenter. Pet Dec 6. Dec 23 at 1. Branwell, Southampton-bldgs.

Gaster, Hy, Poplar, Assistant to a Surgeon. Pet Dec 3 (for pau). Dec 23 at 11. Aldridge.

Gurney, Mary Ann, James-pl, Paddington, Widow, Greengrocer. Pet Nov 25. Dec 19 at 3. Chappell, Connaught-ter, Hyde-park.

Harris, Abraham, City-rd, Cigar Dealer. Pet Dec 8. Dec 30 at 11, Bramwell, Southampton bldgs.

Hatch, Jno, Albany-rd, Old Kent-rd, Mathematical Instrument Maker, Pet Dec 5 (for pau), Dec 19 at 1.30. Aldridge.

Hawkins, Geo, Portland-pl, New Kent-rd, Esq. Pet Nov 27. Dec 19 at 11. Barrow, King's Beach-walk, Temple.

Hazell, Saml, Richmond, Merchant. Pet Dec 3. Dec 23 at 12. Flux & Argles, Mincing-lane.

Headley, Rbt, jun, Earith, Huntingdon, Farmer. Pet Dec 6. Dec 19 at 2. Lawrance & Co, Old Jewry-chmbrs.

Hine, Geo Thos Arrowsmith, Gloucester-st, Pimlico, Gent. Pet Dec 3. Dec 19 at 2. Waller, Duke-st.

Kean, Chas, Brighton, Shoemaker. Dec Dec 8. Dec 23 at 1. May, Russell-sq.

Laing, John, 5 Oak-ter, Kennington, Architect. Pet Dec 4. Dec 19 at 10.30. Holt, Quality-ct, Chancery-lane.

Mathews, Jas, 31 George-st, Portland-pl, Builder. Pet Nov 29. Dec 19 at 11. Lawrance & Co. Old Jewry-chmbrs.

Meller, John Wm, Blenheim-st, Oxford-st, Plumber. Pet Dec 5. Dec 23 at 1. Parsons, Basinghall-st.

Merry, Thos, Brunswick-st, Hackney-rd, Baker. Pet Dec 5. Dec 23 at 11. Lewis, Trafalgar-pl East, Hackney-rd.

Middleton, Rbt, Torrington-mews, Torrington-sq, out of business. Pet Dec 5 (for pau). Dec 23 at 12. Aldridge.

Miller, Jas, Deptford, Tailor. Pet Nov 24. Dec 19 at 2.30. Sole & Co. Aldermanbury.

Pizey, Chas Thos, Eastbourne, Schoolmaster. Pet Dec 1. Dec 19 at 3. Duncan, Basinghall-st.

Pooley, John, Walworth-common, Carman. Pet Dec 4. Dec 23, at 1. Ody & Paddison, New Boswell-ct.

Prince, Hy Chas, Old Fish-st, Builder. Pet Dec 2. Dec 19 at 2.30. Richardson, Three King-ct, Lombard-st.

Reyans, John, Bowers Gifford, Essex, Farmer, Pet Nov 11. Dec 23 at 2. Holt, Quality-ct, Chancery-lane.

Robinson, Thos, Church-ways, Euston-rd, Midx, Broker. Pet Dec 4 (for pau). Dec 19 at 1.30. Aldridge.

Scudamore, Lewis Wallis, Clapham, Schoolmaster. Pet Dec 2. Dec 23 at 1. Apps, South-sq, Gray's-inn.

St Leger, Nicholas, Newmarket-ter, Cambridge-heath-gate, Victualler. Pet Dec 4 (for pau). Dec 23 at 2. Aldridge.

Thos, Fredk, Oxford-st, Fancy Stationer. Pet Dec 2. Dec 23 at 12. Spicer, Staple-inn.

Tichborne, Sir Alf Jos Doughty, Bart., Tichborne-pk, near Alresford, Hants. Pet Dec 5. Dec 23 at 12. Lawrance & Co, Old Jewry-chmbrs.

Wright, Wm, Combs, Suffolk, Horse Dealer. Pet Dec 1. Dec 23 at 12. Robinson & Preston, Lincoln's-inn-fields.

Young, Jas Wm, Paddington-st, Midx, Tripe Dresser. Pet Dec 1. Dec 23 at 12. Herring, Stafford-st, Marylebone-rd.

To Surrender in the Country.

Baker, Wintour Evans, Bristol, Chemist. Pet Dec 5. Bristol, Dec 19 at 12. Jacques.

Bishop, Edwin, Hopesay, Salop, Surgeon. Pet Dec 5. Birm, Jan 5 at 12. Parry, Birm.

Booth, John, Blackley, Lancaster, Contractor. Pet Dec 8. Manc, Jan 9 at 12. Reddish, Manc.

Booth, John, Bradford, Farmer. Pet Dec 3. Bradford, Dec 19 at 10.30. Hutchinson, Bradford.

Bradwell, Josiah, 20 Grafton-pl, Stockport-rd, Gorton, Canvasser. Pet Dec 3. Manc, Jan 8 at 11. Potter & Wood, Manc.

Carpenter, Nelson John, Spring-gardens, Swansea, Commission Agent. Pet Dec 3. Swansea, Dec 22 at 12. Morris, Swansea.

Carter, Robert, Melcombe Regis, Victualler. Pet Dec 4. Weymouth, Dec 22 at 10. Lock, Dorchester.

Chick, George Augustus Breillat, Bristol, Indigo Manufacturer. Pet Nov 27. Bristol, Dec 22 at 11. Bevan & Co, Bristol.

Clark, Samuel, Rochford, Union Porter. Pet Aug 19. Rochford, Dec 23 at 1. Veley, Chelmsford.

Clarkson, Joshua, Bowling, Bradford, Grocer. Pet Dec 8. Bradford, Dec 19 at 10 30. Dawson, Bradford.

Crawford, William, Heigham, Norwich, Warehouseman. Pet Dec 6. Norwich, Dec 23 at 11. Davenay, Norwich.

Crimp, Samuel, Aveton Gifford, Devon, Innkeeper. Pet Dec 5. Kingsbridge, Dec 19 at 12. Orton, Kingsbridge.

Darby, George, Chipping Ongar, Butcher. Pet Dec 4. Brentwood, Dec 23 at 10. Dufficld, Chelmsford.

Davies, David, Aberdare, Tailor. Pet Dec 3. Aberdare, Dec 22 at 11. Plews, Merthyr Tydfil.

Dutton, John, Blackburn, Wine Merchant. Pet Dec 5. Manc, Jan 5 at 11. Cobbett & Wheeler, Manc.

Eite, James, Nottingham, Butcher. Pet Dec 4. Nottingham, Dec 23. at 11. Smith, Nottingham.
Evans, William, Shef, Smith. Pet Dec 5. Shef, Dec 31 at 2. Turner, Shef.
Frapwell, Haroeh Hy, Frome Selwood, Somerset, Carpenter. Pet Dec 5. Frome, Dec 20 at 11. Cruttwell, Frome.
Gardiner, Jas Heath, Manc, Commissn Agent. Pet Dec 4. Manc, Dec 24 at 11. Storer, Manc.
Giles, Jos, Kingston-upon-Hull, Master Mariner. Pet Nov 18. Kingston-upon-Hull, Jan 7 at 12. Jackson & Son, Hull.
Glover, Chas Thos, Harborne, Stafford, Draper. Pet Dec 5. Birm, Jan 5 at 12. Hodgson & Allen, Birm.
Grattan, Jno, jun, Tiverton, Boot Maker. Pet Dec 8. Exeter, Dec 24 at 1. Fidod, Exeter.
Holland, Abel, jun, Macclesfld, out of business. Pet Dec 4. Macclesfield, Dec 18 at 11. Barclay, Macclesfield.
Jenkins, Wm, Cheetham, Manc, Smith. Pet Dec 4. Salford, Dec 20 at 10. Wheeler, Manc.
John, Thos, Aberdare, Collier. Pet Dec 5. Aberdare, Dec 22 at 11. Simons, Merthyr Tydfil.
Jones, Wm, Swansea, Victualler. Pet Dec 2. Swansea, Dec 22 at 12. Morris, Swansea.
Legg, Hy Norton, Sturminster Marshall, Dorset, Farmer. Pet Dec 1. Wimborne Minster, Dec 15 at 10. Moore, Wimborne Minster.
Leonard, Chas Bartholomew Augustine, Scarborough, Printer. Pet Nov 29. Leeds, Dec 22 at 11. Hesp & Moody, Scarboro', and Bond & Barwick, Leeds.
Lewis, Saml, Little Brickhill, Buckingham, Baker. Pet Dec 4. Newport Pagnell, Jan 9 at 2. Simpson, St Alban's, Hertford.
Linley, Jno, Rotherham, Labourer. Pet Dec 8. Rotherham, Dec 22 at 11. Binney, Sheffield.
McHse, Geo, Whittle, Derby, Tin Plate Worker. Pet Dec 3. Chapel-en-le-Frith, Dec 17 at 10. Bennett, Glossop.
Mayer, Jno, Swansea, Clock Maker, (in formâ pauperis). Nov 18. Swansea, Dec 22 at 12. Ensor, Cardiff.
Nicholls, Amos, and Amos Nicholls, jun, Redruth, Builders. Pet Dec 6. Exeter, Dec 23 at 12. Peter, Redruth, & Hirtzel, Exeter.
Nicholson, Saml, Great Yarmouth, Painter. Dec 3. Great Yarmouth, Dec 20 at 11. Diver, Great Yarmouth.
Nicks, Jno Richd, Leamington Priors, Clerk. Pet Nov 25. Warwick, Dec 15 at 10. Sherwood, Leamington Priors.
Patrick, Jno North, Leeds, Beer Seller. Dec 4. Leeds, Dec 22 at 11. Simpson, Leeds.
Puckrin, Jos, Whitby, Bullfier. Pet Nov 21. Leeds, Dec 22 at 11. Walker & Hunter, Whitby, and Payne & Co, Leeds.
Reece, Francis, Handsworth, Gardener. Pet Dec 6. Birm, Jan 5 at 12. James & Knight, Birm.
Richards, Jno, jun, Burnham, Somerset, Butcher. Pet Nov 27. Weston-super-Mare, Dec 18 at 11. Reed, Bridgwater.
Robinson, Wm, Leyburn, York, Superintendent of Police, Pet Dec 5. Leyburn, Dec 18 at 9. Teale, Leyburn.
Scott, Geo, Manc, Professor of Languages. Pet Dec 4. Manc, Jan 7 at 9.30. Boote, Manc.
Skelton, Wm, Sheffield. Pet Dec 2 (in formâ pauperis). Sheffield, Dec 31 at 2. Mason, York.
Smith, Saml, Macclesfield, Silk Manufacturer. Pet Dec 5. Manc, Dec 19 at 11. Parrott & Co, Macclesfield.
Smith, Wm Williams, Cambridge, Victualler. Pet Dec 6. Cambridge, Dec 22 at 1. Hunt, Cambridge.
Stirling, Wm, and Jos Johnson, Cockermouth, Contractors. Pet Dec 1. Newcstle-on-Tyne, Dec 22 at 12. J. & R. S. Watson, Newcstle-on-Tyne.
Syddall, Jas, Salford, Common Brewer. Pet Dec 6. Manc, Jan 5 at 11. Stiles, Manc.
Urwin, Jno, Warden, Northumberland, Boot Maker. Pet Dec 6. Hexham, Dec 27 at 12. Pattison, Haltwhistle.
Wensley, Jno, Everton, Lancaster, Builder. Pet Oct 24. Lrpool, Dec 22 at 12. Watson & Son, Exchange-alley, North.
White, Josiah, Arley, Warwick, Merchant. Pet Dec 6. Nuneaton, Dec 23 at 10. Smalbon.
White, William, sen, Shrewsbury, Victualler. Pet Dec 2. Birm, Dec 19 at 12. Chandler, Shrewsbury, and Reece, Birm.

BANKRUPTCY ANNULLED.

FRIDAY, Dec. 11, 1862.

Wilson, L'Argent, Gravesend. Dec 5.

BANKRUPTCIES IN IRELAND.

Butler, Jas, Ardmore, Athy, Farmer. To surr Dec 10 and Jan 16.
Carr, Andrew, Belfast, Watchmaker. Nov 24. To surr Dec 12 and Jan 2 at 11. James, Dublin.
Evans, Geo, Skibbereen, Cork, Woollendraper. Nov 13. To surr Dec 9 and Jan 2 at 11. Murphy, Dublin.
Moxham, Mark, Granard, Draper. To surr Dec 19 and Jan 13.